THE MADRAS LEGISLATIVE COUNCIL.

Friday, the 12th October 1928.

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Marjoribanks, K.C.I.E., C.S.I., I.C.S., The hon. Sir Norman.
Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, C.S.I., C.I.E., I.C.S., The hon Mr. T. E.
Krishnan Nayar, The hon. Diwan Bahadur M.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Abdul Wahab Sahib Bahadur, Munshi.
Adinarayana Chettiyar, Bar.-at-Law, Mr. T.
Anantakrishna Ayyar, Rao Bahadur C. V.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhaktavatsulu Nayudu, Mr. P
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Biswanath Das Mahasayo, Sriman.
Chidambaranatha Mudaliyar, Mr. T. K.
Congreve, Mr. C. R. T.
Corley, Mr. F. E.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Cotton, C.I.E., I.C.S., Mr. C. W. E.
Dorai Raja, Rajkumar S. N.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Guruswami, Rao Sahib L. C.
Hamid Khan Sahib Bahadur, Abdul.
Harisarvottama Rao, Mr. G.
John, V. Ch.
Kameswara Rao Nayudu, Mr. V.
Karant, Mr. K. R.
Kay, Mr. Kenneth.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Khalif-ul-lah Sahib Bahadur Khan Bahadur, P.
Koti Reddi, Bar.-at-Law, Mr. K.
Krishnan, Mr. K.
Krishnaswami Nayakar, Mr. K. V.
Kumaraswami Reddiyar, Diwan Bahadur S.
Kuppuswami, Mr. J.
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Marudavanam Pillai, Mr. C.
Meera Ravuttar Bahadur, K. P. V. S. Muhammad.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Muppil Nayar of Kavalappara, Mr.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappah Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayanan Chettiyar, Mr. Al. Ar.
Obi Reddi, Mr. C.
Parasurama Rao Pantulu, Mr. A.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Panagal, K.C.I.E.
Rajan, Mr. P. T.
Ramachandra Padayachi, Mr. K.
Ramachandra Reddi, Mr. B.
Raman Menon, Mr. K. P.
Ramanath Goenka, Mr.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ramunni Menon, Diwan Bahadur K.
Ranganatha Mudaliyar, Mr. A.
Ratnasabhapati Mudaliyar, Rao Bahadur C. S.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Sitarama Reddi, Rao Bahadur K.
Siva Raj, Mr. N.
Sivasubrahmanya Ayyar, Mr. K. S.
Slater, C.I.E., I.C.S., Mr. S. H.
Smith, Mr. W. E.
Soundarapandiya Nadar, Mr. W. P. A.
Souter, I.C.S., Mr. C. A.
Srinivasa Ayyangar, Mr. R.
Srinivasa Ayyangar, Mr. T. C.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Subrahmanya Pillai, Mr. Chavadi K.
Syed Ibrahim Sahib Bahadur, Nattam Dubash Kadir Sahib.
Tajudin Sahib Bahadur, Syed.
Tampoe, I.C.S., Mr. A. McG. C.
Thomas, Mr. Daniel.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.
Vanavudaiya Gounder, Mr. S. V.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wright, Mr. W. O.
Zamindar of Gollapalli.
Zamindar of Kallikota.
Zamindar of Mirzapuram.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Gazetteers

Preparation of the District Gazetteers.

* 535 Q.—Mr. Basheer Ahmad Sayeed: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have any proposal to appoint any Editor for the preparation of the several District Gazetteers to succeed the late Mr. J. J. Cotton, I.C.S. (who died in June 1927);

(b) whether the Government will lay on the table a list of the present establishment list of the Gazetteer section, with the names of the holders, their qualifications, duties assigned, age, previous experience, etc., and their pay;

(c) whether it is a fact that an unpassed man has been appointed as a clerk in the Gazetteer section in preference to qualified men available from the Staff Selection Board's lists;

(d) when, how long, and to what places the Personal Assistant has undertaken touring from the time of his appointment till this date;

(e) what was the necessity and the purpose of these tours; and

(f) what was the cost incurred by these tours and the net result therefrom in the matter of the preparation of Gazetteers?

A.—(a) The hon. Member is referred to the answer given to clause (c) of question No. 312 on 8th September 1928.

(b) & (c) A report has been called for.

(d), (e) & (f) The Government have permitted the Personal Assistant to the Editor of Gazetteers to tour out of Madras when necessary for the purpose of collecting information for the B. Volumes of the District Gazetteers which are being compiled. A statement of the tours made under this order has been called for.

Irrigation

Construction of a masonry dam at Tiruvarkadu.

* 536 Q.—Mr. P. Bhaktavatsulu Nayudu: Will the hon. the Member for Revenue be pleased to state—

(a) whether any memorial was received by Government from the villagers of Iynambakam village No. 87, of Saidapet taluk, Chingleput district, requesting the construction of a masonry dam to feed the Iynambakam tank from the Cooum river at Tiruvarkadu, Avadi-Poonamallee Road, and, if so, what action was taken thereon;

(b) whether the place was inspected by the then District Collector and whether the work was strongly recommended in the interest of the villagers;

(c) whether the then Superintending Engineer also inspected the place and very strongly recommended the work;

(d) whether the villagers were asked to pay a moiety of the costs and whether they expressed their willingness to bear the same;

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(e) whether an advance of Rs. 30 was also taken from the villagers as preliminary advance; and

(f) whether the Government propose to do anything in the matter at all, if not, why?

A.—(a) No such memorial has been received during the past three years.
(b) to (f) The Government will call for a report.

Investigations regarding the Kanchalamma tank project.

*537 Q.—Mr. G. Harisarvottama Rao: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 105 on 4th September 1928 regarding investigations regarding Kanchalamma tank project—

(a) whether the report therein mentioned has been received; and
(b) if so, what it is?

A.—(a) & (b) The report called for from the Chief Engineer has not yet been received.

Reinvestigation of the Gudempad project.

*538 Q.—Mr. G. Harisarvottama Rao: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 106 on 4th September 1928 regarding the reinvestigation of the Gudempad project—

(a) whether the report of the Chief Engineer has been received; and
(b) if so, what it is?

A.—(a) & (b) The report of the Chief Engineer has not yet been received.

Re-examination of the Duvvaleru project.

*539 Q.—Mr. G. Harisarvottama Rao: Will the hon. the Member for Revenue be pleased to state in view of the reply given to question No. 107 on 4th September 1928 regarding the re-examination of the Duvvaleru project—

(a) whether the report of the Chief Engineer has been received; and
(b) if so, what it is?

A.—A copy [a] of the Chief Engineer's report, dated 6th September 1928, is laid on the table. The estimates for the Gundlakamma project referred to in the report are under revision by the Chief Engineer for Irrigation.

Repairs to the supply vagu to Damerla tank.

*540 Q.—Mr. G. Harisarvottama Rao: Will the hon. the Member for Revenue be pleased to state in view of the replies given to question No. 108 on 4th September 1928 regarding repairs to the supply vagu to Damerla tank—

(a) whether the information called for has been received; and
(b) if so, what it is?

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[a] Printed as Appendix I on page 540 infra.

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A.—(*a*) Yes.

(*b*) A copy [a] of the Chief Engineer's report, dated 3rd October 1928, is laid on the table.

Mr. G. HARISARVOTTAMA RAO :—"Sir, with reference to the statement in the Appendix that the ryots could easily have closed the hole and the breach which at first was small, may I ask the hon. the Revenue Member to satisfy himself whether the accusation against the ryots is true? I do not think it is true."

The hon. Sir NORMAN MARJORIBANKS :—"It is only the opinion of the Executive Engineer. I should not call it an accusation."

Plans and estimates for the Thukapalli project.

* 541 *Q.*—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state in view of the answer given to question No. 10 on 3rd September 1928 regarding the Thukapalli project—

(*a*) whether the revised plans and estimates have been received ;

(*b*) whether the report of the Chief Engineer referred to in paragraph 2 of the above answer has been received, and if so, what it is ; and

(*c*) if the answer to clause (*a*) or (*b*) be in the affirmative, what action the Government propose to take on the report or reports?

A.—(*a*) *to* (*c*) The answers to clauses (*a*) and (*b*) are in the negative.

Districts included in the five circles mentioned in Government Order regarding Tank Restoration Scheme divisions.

* 542 *Q.*—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state in reference to the annexure to G.O. No. 1814 I., dated 25th July 1928, the districts that are included in the five circles mentioned therein?

A.—The staff sanctioned in the annexure to G.O. No. 1814 I., dated 25th July 1928, is to work in all the districts of the Presidency except Salem, Coimbatore, North Arcot, Malabar, South Kanara, the Nilgiris, Guntur and Tanjore. The staff will, in the first instance, carry out work in the localities indicated in the annexure to the Government Order and then proceed to other areas where estimates are ready for execution.

Mr. G. HARISARVOTTAMA RAO :—"May I know, Sir, whether the office located at Chittoor will deal with all matters relating to the Kurnool district?"

The hon. Sir NORMAN MARJORIBANKS :—"I think the area is given in the annexure to the Government Order. I am sorry I have not got it now."

Mr. G. HARISARVOTTAMA RAO :—"It is not in the annexure?"

The hon. Sir NORMAN MARJORIBANKS :—"I must ask for notice."

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a Printed as Appendix II on pages 540–541 infra.

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Proposal to extend the irrigation under the Muneru in Nandigama taluk.

*543 *Q.*—Mr. A. Kaleswara Rao: With reference to question No. 1134, dated 4th November 1927, will the hon. the Member for Revenue be pleased to state—

(*a*) in what stage the proposal to extend the irrigation under the Muneru in Nandigama taluk by constructing a reservoir at Konduru now is;

(*b*) whether the ryots have promised to pay any contribution towards the cost of construction; if so, how much;

(*c*) what net profits are estimated to be realized by Government on the scheme; and

(*d*) whether the Government propose to push on with the scheme rapidly?

A.—(*a*) A copy [a] of the latest report of the Chief Engineer for Irrigation, dated 5th October 1928, showing the present stage of the scheme is laid on the table.

(*b*) The attention of the hon. Member is invited to paragraph 2 of the Chief Engineer's report, dated 25th March 1927, laid on the table in answer to question No. 1134, on 4th November 1927. The Government have not received any further report in the matter.

(*c*) & (*d*) The Government are unable to say until they receive the final report of the Chief Engineer.

Restoration of Peddinayani tank in Nandigama taluk under the Tank Restoration scheme.

*544 *Q.*—Mr. A. Kaleswara Rao: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether under the Tank Restoration scheme for which a division has been created in Bezwada the restoration of Peddinayani tank in Nandigama taluk which was breached in the cyclone of 1925 will also be taken up; and

(*b*) whether the ryots have offered any contribution towards the cost of restoration and, if so, what amount?

A.—(*a*) The proposal to restore the tank has been negatived on the recommendation of the Chief Engineer. The Tank Restoration Scheme division will not therefore take up the work.

(*b*) The ryots at first stated that they would contribute towards the cost of the work; but when asked by the Executive Engineer to quote a definite figure and execute a formal agreement, they took no action in the matter.

Land Revenue

Introduction of the Land Revenue Bill.

*545 *Q.*—Mr. C. Ramasomayajulu: Will the hon. the Member for Revenue be pleased to state whether in view of the recent statement made by Sir Muhammad Habib-ul-lah Sahib Bahadur in the Council of State regarding Land Revenue legislation what steps the Local Government are taking to expedite the passing of the Land Revenue Bill in this Council?

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[a] Printed as Appendix III on page 541 infra.

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A.—The question is not understood. There is no Land Revenue Bill pending in this House. The Government of India have recently addressed this Government on the subject and the reply of this Government is under preparation.

Mr. C. Ramasomayajulu :—" Is it not a fact that the Government published a Land Revenue Bill in the latter part of 1926 with a view to introduce it in the Council ? "

The hon. Sir Norman Marjoribanks : —" They published a Bill for public criticism."

Mr. C. Ramasomayajulu :—" May I know whether this Government in its reply to the Government of India is going to recommend the introduction of a Bill in this Council ? "

The hon. Sir Norman Marjoribanks :—" I cannot say what the reply will be."

Mr. S. Satyamurti :—" May I know whether the Government will lay on the table of the House the letter of the Government of India on this subject ? "

The hon. Sir Norman Marjoribanks :—" The hon. Member is well aware that it is not in our power to do that."

Mr. S. Satyamurti :—" May I know whether, before this Government sends its reply to the Government of India, they will give an opportunity to this Council to express its views on the nature of the Bill ? "

The hon. Sir Norman Marjoribanks :—" The Bill has already been published."

Mr. S. Satyamurti :—" It is stated in the answer that the reply of this Government is under preparation. I am asking whether this House will be given an opportunity of expressing its opinion on the reply before it is sent to the Government of India ? "

The hon. Sir Norman Marjoribanks :—" The answer given here is with reference to the question which refers to a statement of the hon. Member of the Government of India. That statement is, as far as I am aware, that the Local Governments would be addressed. I simply wish to say that this Government have been addressed."

Mr. S. Satyamurti :—" I wish to know whether, before the Local Government makes up its mind on this important piece of legislation, i.e., Land Revenue, they have any intention of giving an opportunity to this House to express their opinion."

The hon. Sir Norman Marjoribanks :—" The hon. Member assumes that this Government have been addressed on the question of legislation. I do not see that there is anything in the answer to suggest that."

Mr. S. Satyamurti :—" Sir, the question is : Will the hon. the Member for Revenue be pleased to state whether in view of the recent statement made by Sir Muhammad Habib-ul-lah Sahib Bahadur in the Council of State regarding Land Revenue legislation what steps the Local Government are taking to expedite the passing of the Land Revenue Bill in this Council? The answer given is that the Government of India have recently addressed

this Government on the subject and the reply of this Government is under preparation. I am asking what the subject is on which the Government of India have recently addressed this Government."

The hon. Sir NORMAN MARJORIBANKS :—" On that subject I can give no information at this stage."

Mr. S. SATYAMURTI :—" On Land Revenue legislation ? "

The hon. the PRESIDENT :—" The hon. Member has refused to give any information at this stage."

Mr. S. SATYAMURTI :—" Even as to on what subject ? "

The hon. Sir NORMAN MARJORIBANKS :—" On that subject I am unable to give information."

Mr. S. SATYAMURTI :—" Even as to what the matter is ? "

The hon. Sir NORMAN MARJORIBANKS :—" Yes."

Mr. J. A. SALDANHA :—" May I know whether the hon. Member is aware of the Revenue Settlement Bill submitted by my humble self ? "

The hon. Sir NORMAN MARJORIBANKS :—" I have not got it."

Mr. D. NARAYANA RAJU :—" Apart from the preparation of the reply to the Government of India, may I know whether the Government have taken any steps to expedite the passing of a Land Revenue Bill in this Council ? "

The hon. Sir NORMAN MARJORIBANKS :—" The hon. Member is well aware that the Government published a Bill and the opinions expressed on it were generally adverse. There the matter stands."

Mr. D. NARAYANA RAJU :—" Is it the intention of the Government not to introduce any Bill unless the public are in favour of the draft Bill published by the Government ? "

The hon. Sir NORMAN MARJORIBANKS :—" The main objection to the Bill was that certain powers to fix the rates of assessment were not given to the Legislative Council. A provision to that effect had been put into the Bill that was submitted originally to the Government of India. As I have explained more than once in this House, they took exception to that provision and therefore this Government has no power to introduce a provision like that. It is understood from the criticisms that we have received, that the House will not be prepared to assent to any Bill unless that provision is inserted."

Mr. D. NARAYANA RAJU :—" Therefore, is it the intention of the Government not to introduce any Bill unless this House consents not to have the power of fixing rates of assessment ? "

The hon. Sir NORMAN MARJORIBANKS :—" We cannot introduce such a power in the Bill."

Mr. C. RAMASOMAYAJULU :—" May I request the Government to press upon the attention of the Government of India that this House is of opinion that the power to fix the rates of assessment must be vested in the Council ? May I ask the Local Government to fight with the Government of India on the basis of the resolution passed by this Council ? "

The hon. Sir NORMAN MARJORIBANKS :—" We certainly are not prepared to fight with the Government of India on any issue."

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Mr. G. HARISARVOTTAMA RAO :—" May I ask the hon. Member to make a recommendation to the Government of India that this Council has expressed its desire to have such a power and that it should have such a power. I am not asking him to fight."

The hon. Sir NORMAN MARJORIBANKS :—" The hon. Member is well aware that such a provision was inserted in the Bill submitted by this Government and it was disallowed."

Mr. J. A. SALDANHA :—" May I enquire whether the Government of India are at present inclined to give the concession which was sought for by this House ? "

The hon. Sir NORMAN MARJORIBANKS :—" I cannot possibly say that. That is a question to be addressed to the Government of India."

Mr. S. SATYAMURTI :—" May I know whether in the Local Government's reply to the Government of India they propose to make any reference to the opinion of this Council that any Bill introduced in this Council must contain the provision giving the Council the power to fix the rates of assessment ? "

The hon. Sir NORMAN MARJORIBANKS :—" I cannot say, Sir, what the reply would be till it is prepared and considered."

Sriman BISWANATH DAS Mahasayo :—" Sir, if the Government of India and the Local Government hold out a threat to the Council that unless the Council agrees to leave the power of fixing the rates of assessment to the Government they would not introduce a Bill in the Council, may I know how they reconcile their position with the clear and specific recommendation of the Joint Parliamentary Committee that the fixing of assessment of land revenue should thereafter be left to the vote of the Council ? "

The hon. Sir NORMAN MARJORIBANKS :—" I do not agree with the hon. Member in his description of the recommendations of the Joint Parliamentary Committee."

Loans

Penal interest on loans under the Agricultural Loans Act.

* 546 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether he is aware of the fact that in many cases under the Land Improvement Loans Act and the Agricultural Loans Act penal interest is charged on very small balances and that in that manner the sums grow heavy and oppressive ; and

(*b*) whether he will consider the advisability of regulating the levy for the penal rate in such a manner as not to be oppressive where the ryot is in ignorance of the actual small balance standing against his name ?

A.—(*a*) The Government have received a representation on the subject from Diwan Bahadur P. Kesava Pillai.

(*b*) The question of amending the rules relating to the levy of penalty on arrears of loans is under consideration.

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Reduction of the rate of interest on loans under the Land Improvement Loans Act.

* 547 Q.—Mr. G. Harisarvottama Rao : Will the hon. the Member for Revenue be pleased to state—

(a) whether the investigation into the question of reducing the rate of interest under the Land Improvement Loans Act and the Agricultural Loans Act has been completed ; and

(b) if so, what action the Government propose to take ?

A.—(a) & (b) The Government have just received the report of the Board of Revenue on the subject. The report is under examination, and orders will be passed as early as possible.

Navigation

Vessels plying in the Godavari river.

* 548 Q.—Mr. C. Ramasomayajulu : Will the hon. the Member for Revenue be pleased to state—

(a) whether the report of the Chief Engineer (Irrigation) with reference to introduction of Act I of 1917, to vessels plying in the Godavari river has been received ;

(b) if so, whether the same would be placed on the table ;

(c) whether any orders were passed thereon and if so, to what effect ; and

(d) whether the Government will expedite the taking of necessary measures to ensure safety of passengers ?

A.—(a) The Chief Engineer's report has just been received.

(b) The question will be considered after the report has been examined.

(c) The reply is in the negative.

(d) The matter is under consideration and will be disposed of as expeditiously as practicable.

Boat traffic on Godavari river.

* 549 Q.—Mr. C. Ramasomayajulu : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government would call for information as regards the extent of boat traffic on the Godavari river near Kotipalli and Yanam and the number of accidents due to the capsizing of boats plied by unskilled boatsmen and the unfitness of the craft for navigation ; and

(b) whether the Government intend to make the necessary regulations with reference to boat traffic in the bed of the river so as to ensure the safety of passengers by imposing restrictions against unworthy craft and unskilled pliers ?

A.—(a) A report will be called for.

(b) The matter is under consideration.

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Revenue Establishments

Tahsildars in Ganjam, Vizagapatam and Guntur districts.

* 550 Q.—Diwan Bahadur P. C. ETHIRAJULU NAYUDU: Will the hon. the Member for Revenue be pleased to state the number and community of the Tahsildars in the Ganjam, Vizagapatam and Guntur districts, acting and permanent?

A.—The hon. Member is referred to the Revenue establishment lists of the districts corrected up to 1st April 1928 which are available in the Secretariat Library for reference.

Village Establishments

Appointment of assistant karnams with hereditary rights in villages in Kurnool district.

* 551 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is not a fact that the assistant karnams of Midutur, Nandikotkur, Paramanchala, Atmakur and Velgode in the Kurnool district were appointed in 1872 with hereditary rights;

(*b*) whether it is a fact that after 40 years in 1911 the hereditary rights of assistant karnams was first annulled by G.O. No. 2632 of 1911 and B.P. No. 250, dated 26th September 1911;

(*c*) whether it is a fact that the assistant reddis were created after Act III of 1895;

(*d*) whether it is a fact that such assistant reddis are now recognized as hereditary;

(*e*) whether it is a fact that the work of village accountants in such villages as stated in (*a*) is not sufficiently heavy to require assistant karnam; and

(*f*) whether the Government will further investigate the question of appointing assistant karnams with hereditary rights in such villages?

A.—(*a*) The answer is in the negative.

(*b*) The answer is in the negative.

(*c*) The answer is in the negative.

(*d*) A reference has been made to the Board of Revenue on this point.

(*e*) It has been reported that the work in three of the villages mentioned is sufficiently heavy to justify assistant karnams.

(*f*) The Government will consider the question of appointing karnams instead of assistant karnams in villages where the work justifies more than one karnam.

Mr. G. HARISARVOTTAMA RAO:—" In view of the answer to clause (*f*), may I know whether the Government will make a reference to the Board of Revenue and, if the work in the villages I have mentioned justified the appointment of two karnams, recommend to them the appointment of additional karnams?"

The hon. Sir NORMAN MARJORIBANKS:—" It is stated in the answer that the Government are considering the appointment of additional karnams."

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Arms and Explosives

Shooting by Mr. A. F. Bulkley, Superintendent, Railway Police, Trichinopoly.

* 552 *Q.*—Mr. R. Srinivasa Ayyangar : Will the hon. the Home Member be pleased to state—

(*a*) whether it is a fact that on or about the 21st July 1928, Mr. A. F. Bulkley, Superintendent, Railway Police, Trichinopoly, shot a man with a revolver in or near Villupuram station platform on the occasion of the railway strike and whether the fingers of the person shot at were injured thereby ;

(*b*) whether it is a fact that at about that time the District Magistrate and the District Superintendent of Police were on the Villupuram Railway Station platform ;

(*c*) whether Mr. Bulkley had any instruction or received any order from the District Magistrate, South Arcot, to open fire ;

(*d*) whether the Government have received reports touching the revolver incident from the District Magistrate and the Superintendent of Police, South Arcot ;

(*e*) whether the Government have held or ordered any enquiry touching the said incident ;

(*f*) whether any, and if so, what action was taken on the conduct of Mr. Bulkley in discharging a revolver ; and

(*g*) whether the Government will be pleased to lay on the table the papers connected with the said incident including the reports of the District Magistrate and District Superintendent of Police ?

A.—(*a*) No. Mr. Bulkley fired one shot into the ground. He did not fire at or injure anyone. The incident took place outside the station about 100 yards down the line.

(*b*) Yes.

(*c*) No.

(*d*) The District Magistrate sent a report about the general incidents of the strike in his district.

(*e*) No.

(*f*) None.

(*g*) The Government see no reason to do so.

Mr. R. Srinivasa Ayyangar :—" May I ask the hon. the Home Member to give us some details of the incidents which led up to Mr. Bulkley's opening fire ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" Mr. Bulkley was surrounded by a mob who threw stones at him and therefore he discharged his revolver."

Mr. R. Srinivasa Ayyangar :—" May I ask the hon. Member to state whether the shot fired into the ground deflected its course and caused injury to anybody ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" No, Sir."

Mr. R. Srinivasa Ayyangar :—" May I ask the hon. Member whether the answer to clause (*a*) is based upon the statement or report of Mr. Bulkley or whether it is also based on the report of the District Magistrate ? "

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The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is based on the report of the District Magistrate."

Mr. R. SRINIVASA AYYANGAR :—" May I ask the hon. the Home Member whether the report of the District Magistrate does or does not refer to this revolver incident, and particularly to the injuries ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is a complete report of the whole incident."

Mr. R. SRINIVASA AYYANGAR :—" I want to know whether there is any reference to any person having sustained injuries."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is not by the opening of fire by Mr. Bulkley."

Mr. R. SRINIVASA AYYANGAR :—" Does it show exactly by whom these injuries were caused ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The injury was caused by a Reserve Policeman. When he found that Mr. Bulkley was in danger, he shot at the crowd."

Mr. R. SRINIVASA AYYANGAR :—" With reference to the answer to clause (*g*), may I know why the Government see no reason to place the report on the table ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is a confidential document."

Mr. SAMI VENKATACHALAM CHETTI :—" Did the District Magistrate authorize Mr. Bulkley to open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" The District Magistrate was far away from Mr. Bulkley."

Mr. R. SRINIVASA AYYANGAR :—" Should not Mr. Bulkley get the sanction of the District Magistrate ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It was unnecessary. The moment Mr. Bulkley got down from the train he was surrounded by a huge mob. The District Magistrate was far away from him."

Mr. R. SRINIVASA AYYANGAR :—" Did not the District Magistrate report to the Government that Mr. Bulkley opened fire without his permission ?

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is not accurate, Sir."

Mr. S. SATYAMURTI :—" May I know under what authority the hon. the Home Member has said that Mr. Bulkley was surrounded by a mob and therefore he had to fire in self-defence. Is it upon the mere statement of Mr. Bulkley or upon the report of any other officer of Government sent there to make an enquiry ? "

11-15 a.m. The hon. the PRESIDENT :—" It is stated that the District Magistrate has sent the report."

Mr. S. SATYAMURTI :—" May I ask whether the statement that Mr. Bulkley was surrounded by a mob is that of Mr. Bulkley himself or is that statement contained in any official report received by the Government ? "

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The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It is contained in the official reports received from the District Magistrate and the Inspector-General of Police."

Mr. S. SATYAMURTI :—" May I ask whether those reports are based on any enquiry open or public conducted by these officers, with notice to those who were injured by the shots ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " There was no enquiry necessary at all."

Mr. S. SATYAMURTI :—" May I ask the hon. the Home Member the authority for those statements in the report so far as the Government can ascertain from the reports themselves ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I have said that the District Magistrate and the Inspector-General of Police have sent their reports."

Mr. S. SATYAMURTI :—" Did they make any enquiries ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" It was not necessary to make any enquiries ; they are matters of fact."

Mr. S. SATYAMURTI :—" Where was the District Magistrate then ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" He was about 100 yards away."

Mr. S. SATYAMURTI :—" Did not the District Magistrate see the mob ? "

The hon Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" He might have seen it ; he came there immediately and found out the true state of affairs."

Mr. S. SATYAMURTI :—" May I ask my hon. Friend why when the District Magistrate was so near and who saw that Mr. Bulkley was surrounded by a mob and that the mob was throwing stones, he thinks he was not near enough to Mr. Bulkley to get orders to open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " Between the District Magistrate and Mr. Bulkley there was a crowd which was throwing stones at Mr. Bulkley."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the hon. the Home Member is aware that the District Magistrate did not open fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " The question of the District Magistrate opening fire or not is not before the House."

Mr. G. HARISARVOTTAMA RAO :—" If, as is stated, there was a crowd between the District Magistrate and Mr. Bulkley, why did not the District Magistrate open fire in the circumstances in which Mr. Bulkley opened fire ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " The mob was towards the direction where Mr. Bulkley was. The District Magistrate was a little far away. The mob was then cleared and the District Magistrate reached the place."

Dr. B. S. MALLAYYA :—" May I know if the fire that was opened by the Police was with revolvers or with guns ? "

The hon. Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—
"Notice, Sir."

Dr. B. S. MALLAYYA :—"Was not a man injured, with his five fingers shot by a revolver by Mr. Bulkley?"

The hon. the PRESIDENT :—"The hon. Member is not asking a supplementary question."

Dr. B. S. MALLAYYA :—"May I know if the statement that the man was shot by a revolver by the Superintendent himself, is not correct?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—
"As I have said, Mr. Bulkley did not shoot at the man injured."

Dr. B. S. MALLAYYA :—"May I ask if the statement given by the man whose fingers were shot is not the correct one?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"As I have said, the statement is from the report of the officials."

Mr. G. HARISARVOTTAMA RAO :—"May I know if Mr. Bulkley was surrounded by a crowd?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"Yes, Sir."

Mr. G. HARISARVOTTAMA RAO :—"If he was surrounded by the mob, may I ask whether a part of the mob at least was not within the sight of the District Magistrate?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"Yes, Sir."

Mr. S. SATYAMURTI :—"With reference to clause (*e*) of the answer, may I know the reasons why the Government have not held or ordered any enquiry touching the incident?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—"No enquiry was necessary; because we have received official reports on the subject from the District Magistrate and the Inspector-General of Police and we are satisfied with those reports."

Mr. S. SATYAMURTI :—"May I ask whether, with reference to those official enquiries said to have been conducted, any notice was given to the persons who were injured?"

The hon. the PRESIDENT :—"The hon. Member did not say that any official enquiry was conducted."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"The District Magistrate was 100 yards away; he came to the place and his report is a result of his enquiries."

Mr. S. SATYAMURTI :—"With regard to those enquiries conducted by those officials, was any notice given to those who were injured as a result of those incidents?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"The injured were there."

Mr. S. SATYAMURTI :—"May I know whether that statement is contained in the report of the officer who made the enquiry?"

The hon Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"Notice, Sir."

Mr. S. SATYAMURTI :—" With regard to the answer to clause (g) of the question, may I know the reasons why the Government decline to place on the table the reports of the District Magistrate and the District Superintendent of Police ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"There was no report from the District Superintendent of Police. There was a report from the District Magistrate, and it is confidential."

Mr. S. SATYAMURTI :—" May I know if the reason, why the Government decline to place the report, is that the District Magistrate himself admits that Mr. Bulkley opened fire without his orders ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"No, Sir."

Mr. P. ANJANEYULU :—" May I know whether any statement was taken from the injured person ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"I have already answered that question."

Mr. G. HARISARVOTTAMA RAO :—" May I know why the District Magistrate who was only a few yards away from Mr. Bulkley was not in a position to judge whether fire should be opened or not ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"The question was not before the District Magistrate ; it was before Mr. Bulkley."

Mr. R. SRINIVASA AYYANGAR :—" May I ask whether a part or the whole of the report of the District Magistrate is confidential ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"The whole of the document is confidential."

Dr. B. S. MALLAYYA :—" May I know if Mr. Bulkley offered a sum of Rs. 100 to the injured man to keep quiet ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"I am not aware of it."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know who was the District Magistrate at that time ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"Mr. Upendra Pai."

Mr. T. ADINARAYANA CHETTIYAR :—" Has he been transferred since ?"

The hon. Khan Bahadur Sir MUHAM AD USMAN SAHIB Bahadur :—
"No, Sir."

Mr. J. A. SALDANHA :—" May I enquire whether the official view is the only view to be accepted by the Government? Is there no other view ?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—
"There is no other view at present."

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Mr. G. HARISARVOTTAMA RAO :—" In view of the fact that the Home Member was saying that a head constable opened fire and that the man was injured, was any order given to that head constable to open fire ? "

The hon. Khan Bahaur Sir MUHAMMAD USMAN SAHIB Bahadur :— " No, Sir ; when he found that Mr. Bulkley was in danger, he immediately fired a shot in order to save Mr. Bulkley."

Books and Publications

Alleged proscription of the " Bheeshma Prathignya."

*553 Q.—The ZAMINDAR OF GOLLAPALLI : Will the hon. the Home Member be pleased to state whether the Government propose to proscribe *Bheeshma Prathignya* especially the scene of moral delinquency of Satyavati from staging ?

A.—There is no such proposal under the consideration of Government.

The ZAMINDAR OF GOLLPALLI :—" Will the Government be pleased to consider the desirability of proscribing such dramas ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " There is no such proposal at present ; if the hon. Member writes to the Government bringing facts and figures to their notice, the Government will consider the question."

Mr. S. SATYAMURTI :—" Before the Government makes up its mind to interfere with literature, will the Government consider that Law and Government cannot really regulate these literary productions ? "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " As I have said, there is no proposal before the Government." (Voices :—Thanks.)

Police

Alleged ill-treatment of the under-trial accused in the Trichinopoly Railway strike case.

*554 Q.—Dr. B. S. MALLAYYA : Will the hon. the Home Member be pleased to state—

(*a*) whether the Government have received a letter from Mr. N. S. Ramaswami Ayyangar about the under-trial accused in the Trichinopoly Railway strike case ;

(*b*) whether it is a fact that some of the accused in the said case are over 55 years old and suffering from diseases such as hernia, etc., and whether all the accused were made to walk a distance of three miles from the Central Jail to the Court of the Deputy Magistrate, Trichinopoly, on 14th September 1928 ;

(*c*) whether it is a fact that they represented to the escort officer that they were too ill to walk ;

(*d*) whether the escort officer reported the matter to his superiors and whether their representation resulted in the men being handcuffed ;

(*e*) whether it is a fact that on being made to walk like this, one of them fainted and fell on the road three times ;

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(*f*) whether it is a fact that when these men complained in court about the treatment they received at the hands of the police, the escort officer was examined and the men were asked to submit a written complaint; and

(*g*) whether a written complaint has been made and if so, what action has been taken on it?

A—(*a*) Yes.

(*b*) *to* (*g*) The Government have no information; they have called for a report.

Dr. B. S. MALLAYYA:—"May I know whether it is the policy of the Government to treat under-trial prisoners as convicts till they are convicted?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"That is not the policy of the Government."

Dr. B. S. MALLAYYA:—"Do the Government think that the treatment given to the under-trial prisoners at present is fair?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"Yes."

Dr. B. S. MALLAYYA:—"Is it fair that they should be asked to walk a distance of 4 miles?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"As I have said, the Government have called for a report. The Government have no facts before them at present."

Dr. B. S. MALLAYYA:—"Have not the Government received a letter from a respectable gentleman like Mr. N. S. Ramaswami Ayyangar and are not the Government satisfied that there is something wrong and that they should rectify matters?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"The Government have to hear both sides of the question before they come to a conclusion."

Dr. B. S. MALLAYYA:—"Are the under-trial prisoners to suffer in the meanwhile? Cannot the Government issue orders that they may be treated as human beings till they are convicted?"

Mr. S. SATYAMURTI:—"In view of the fact that the question was sent to your office on the 25th of the last month and to the hon. the Home Member on the 5th of this month, may I know the reasons why the Government have not yet been able to get information from Trichinopoly which is within 12 hours of Railway Mail journey on these serious allegations?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"We have referred the matter to the District Magistrate; we have not received his report; we have reminded him."

Dr. B. S. MALLAYYA:—"May I ask if the hon. the Home Member is not aware that even yesterday it was mentioned in the papers that these unfortunate, old, infirm and incapable men were being made to walk four miles a day to and fro from the jail to the Magistrate's office?"

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur:—"I am not aware of it."

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Rao Bahadur C. S. Ratnasabhapati Mudaliyar :—" Pending the report from the District Magistrate, will the hon. Member be pleased to issue orders to take the accused by motor bus or any other conveyance ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" All that I can say at present is that, as soon as the report is received, the matter will be dealt with."

Dr. B. S. Mallayya :—" Are these men to suffer till the Government receive the report and pass orders ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I do not know whether they are suffering or not "

Dr. B. S. Mallayya :—" Cannot the Government believe the statement made by respectable citizens of His Majesty ? "

Rao Bahadur C. S. Ratnasabhapati Mudaliyar :—" Even if the Government err, will they be pleased to err on the safe side ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I have already promised that the Government will consider the question as soon as the report is received."

Mr. S. Satyamurti :—" Even in case the allegations are untrue that these gentlemen are being made to walk to and fro, may I ask why the Government should not issue orders that they should be treated as innocent men until they are convicted and given a conveyance from the Trichinopoly Jail to the Court which is a distance of between 3 to 4 miles ? May I know any other reasons why this order should not be issued by this Government except on the ground that it may be superfluous if our allegations are untrue ? "

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" It is a matter for the Court to decide."

Mr. Sami Venkatachalam Chetti :—" Will the Government be pleased to issue orders that these persons may be conveyed in a carriage at least in the interest of the police constables who have got to accompany these persons ? " (Laughter.)

Madras Record Office

Curator of the Madras Record office.

* 555 Q.—Mr. Basheer Ahmad Sayeed : Will the hon. the Member for Finance be pleased to state—

(a) when the appointment of the Curator, Madras Record office, was created ;

(b) what was the necessity for the creation of the appointment and what were the duties attached to it ; and

(c) when the Madras Record office was constituted and whether the Government will place the connected papers on the table ?

A.—(a) April 1911.

(b) An officer was required to take charge of all the records, of all current work in connexion with them, of their preservation, repair, indexing, calendaring and publication.

(c) The Record office was constituted in April 1908. The Government do not propose to place papers on the table.

Duties of the Superintendent, Madras Record office.

* 556 Q.—Mr. BASHEER AHMAD SAYEED: Will the hon. the Member for Finance be pleased to state what were the duties of the Superintendent of the Madras Record office during the tenure of Mr. Dodwell and what are the duties of the present Superintendent or the ministerial head of the Record office?

A.—During the time of Mr. Dodwell the duties of the Superintendent were such as Mr. Dodwell assigned to him. The duties of the Senior Assistant are now such as the present Curator assigns to him.

Civil Justice

Action taken by Government on the report of the Special Committee regarding the amendment of the Civil Procedure Code.

* 557 Q.—Mr. K. R. KARANT: Will the hon. the Law Member be pleased to state—

(a) whether the proposal made by the Special Committee on the amendment of the Civil Procedure Code contained in paragraph 12 of the Committee's report, dated 31st August 1907, regarding the annual publication of a Manual of Practice has been acted upon by Government or by the High Court, if not, why not;

(b) whether complaints have been made that for want of such a Manual, great difficulty is being experienced by the Civil Courts and the Bar of the province; and

(c) whether Government propose to take any and if so, what steps in the matter or to request the High Court to take such steps themselves?

A.—(a) The answer is in the negative. It has not been thought necessary.

(b) The Government have no information.

(c) The Government have taken steps to supply civil courts with such publications as are considered necessary for their guidance.

Criminal Justice

Alleged attack on the depressed classes by the caste Hindus at Angambakkam.

* 558 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Law Member be pleased to state—

(a) whether it was a fact that on or about the 12th August 1928 a mob of caste Hindus attacked the depressed class people (Adi-Dravidas) in Angambakkam cheri, Conjeeveram taluk, Chingleput district, and in defence one of the cheri men shot some of the caste Hindus;

(b) if the answer be in the affirmative the number of men that were shot dead and the number injured;

(c) whether it was a fact that the cheri men had sent a telegraphic or other message to the District Magistrate, Superintendent of Police and the Tahsildar informing them of the impending danger when they saw the castemen were preparing for an attack on the cheri people;

(*d*) if the answer be in the affirmative, the date, time and the persons by whom the telegrams or messages were first received, whether by clerks or officers themselves;

(*e*) the date and time the officers first reached the place to investigate; and

(*f*) what steps had been taken to prevent such an occurrence or protect the cheri people?

A.—(*a*) to (*f*) Criminal cases arising out of the incident are still before the Court. The Government can make no pronouncement till these have been disposed of.

Mr. V. I. MUNISWAMI PILLAI:—"With reference to clause (*c*) of the question, will the hon. the Law Member be pleased to state if telegraphic or other message was received by the District Magistrate before the incident?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"The answer to all the clauses of the question is that the whole matter is now before Courts of Justice. As those cases are pending, I cannot go into detail in this Council."

Forests

Committee to enquire into the grievances of ryots in forest areas.

* 559 *Q.*—Mr. A. KALESWARA RAO: Will the hon. the Law Member be pleased to state what steps the Government have taken on the resolution passed in this Council on 6th September 1928 to appoint a committee of the Members of this Council to enquire into the grievances and hardships of the ryots in the forest areas of the province in regard to the administration of the Forest Department?

A.—The matter is under consideration of Government.

Panchayat Courts

Alleged prohibition of legal practitioners from appearing before village courts.

* 560 *Q.*—Mr. C. RAMASOMAYAJULU: Will the hon. the Law Member be pleased to state—

(*a*) whether complaints have been made to Government that section 24 of the Madras Village Courts Act prohibiting legal practitioners qualified or unqualified, from appearing or acting for clients in suits or proceedings before the village courts is causing great hardship and inconvenience to the litigant public; and

(*b*) whether the Government would consider the desirability of amending the Act so as to make provision for practitioners capable of acting as agents to appear and act for clients?

A.—(*a*) No.
(*b*) No.

Mr. C. RAMASOMAYAJULU:—"May I know if the Government are aware that it is particularly necessary that persons should have some legal knowledge to attend to the work of the Panchayat Courts?"

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The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" The Government are not aware."

Mr. C. RAMASOMAYAJULU :—" Do the Government think that laymen can attend to Court business ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is the sole object of the Act."

Mr. C. RAMASOMAYAJULU :—" Are the Government aware that difficulties are being experienced by litigants in this matter ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No difficulty whatever is experienced by them."

Mr. M. V. GANGADHARA SIVA :—" With reference to the answer to (b), may I know the reasons why the Government do not consider it desirable to amend the Act so as to make provision for capable practitioners to act as agents for clients ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" There has been no complaint whatever that the Act is working any hardship on any person."

State Prisoners

Release of Mr. Narayana Menon.

* 561 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Law Member be pleased to state—

(a) what was the surety demanded by the Government for the release of Mr. Narayana Menon ;

(b) how the surety tendered was inadequate ; and

(c) what were the conditions imposed by the Government for the said release ?

A.—(a) & (c) The Madras Government made no demands of Mr. Narayana Menon. The surety they contemplated was an undertaking given by Narayana Menon himself or by his friends on his behalf, that he would not take part in political activities or enter or reside in Malabar until the conditions there became normal.

(b) It was inadequate because it did not meet the requirements which the Government considered indispensable.

Mr. G. HARISARVOTTAMA RAO :—" May I know whether it is not a fact that a few friends of Mr. Naravana Menon have given an undertaking on his behalf as required by the Government ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. G. HARISARVOTTAMA RAO :—" May I know then why Mr. Narayana Menon was not released ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because Mr. Narayana Menon did not give his consent to the conditions which were laid down by the two sureties."

Mr. G. HARISARVOTTAMA RAO :—" May I ask the hon. Member whether the surety demanded by the Government was one either from Mr. Narayana Menon or from his friends on his behalf ? "

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The hon. Diwan Bahadur M. Krishnan Nayar :—" Yes."

Mr. G. Harisarvottama Rao :—" The friends having given surety why did not the Government release Mr. Narayana Menon ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The conditions have to be agreed to by Mr. Narayana Menon also."

Mr. S. Satyamurti :—" With regard to the answer to clause (b) of the question, may I know, Sir, what according to the Government, are the indispensable requirements, which would made them to come to the conclusion that the sureties offered are adequate ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" The consent of Mr Narayana Menon."

Mr. S. Satyamurti :—" May I ask the hon. the Law Member whether he differs and, if so, why, from the opinions of the gentleman called Diwan Bahadur M. Krishnan Nayar who, while on this side of the House, urged upon the Members of Government the unconditional release of Mr. Narayana Menon ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" I hold even now the opinions that I did."

Mr. S. Satyamurti :—" May I know then why he does not give effect to his opinions ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Because it does not depend upon myself alone. It depends upon the decision of the Government as a whole."

Mr. S. Satyamurti :—" May I know whether it differs from his own opinion,—I mean the decision of the Government—and if so, whether he is unable to enforce his own opinion on them, and if so, why he continues in that office ? "

11-30 a.m. The hon. Diwan Bahadur M. Krishnan Nayar :—" That is a Cabinet secret, Sir."

Rao Bahadur C. S. Ratnasabhapati Mudaliyar :—" May I know from the hon. the Law Member whether the conditions in Malabar have become normal ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Yes."

Mr. Sami Venkatachalam Chetti :—" If the conditions in Malabar are normal, where then is the necessity for sureties being given ? "

The hon. Diwan Bahadur M. Krishnan Nayar :—" Sureties are to be given not only with reference to the conditions of Malabar, but also with reference to Narayana Menon taking no part in political activities."

Mr. Sami Venkatachalam Chetti :—" The surety is for this condition, that he would not take part in political activities in Malabar until conditions there became normal. Conditions have now become normal, and therefore there is no necessity for the surety ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—" Evidently, the hon. Member does not take into consideration the first part of the answer which he himself read just now. There are two conditions; the first is that he will not take part in political activities and the

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second is that he will not enter or reside in Malabar. The fact that the conditions in Malabar have become normal applies only to the latter condition, namely, that he will not enter or reside in Malabar."

Mr. Sami Venkatachalam Chetti :—"Then, Sir, apart from this, is it not usual for the Government on certain occasions to remit sentences passed on convicts ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"Yes."

Mr. Sami Venkatachalam Chetti :—"If it be so, why should not the Government exercise that consideration in respect of Mr. Narayana Menon ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"It has not been considered necessary in his case."

Mr. Sami Venkatachalam Chetti :—"Is that view held by the hon. the Law Member individually ?"

The hon. Diwan Bahadur M Krishnan Nayar :—"That is exactly what I stated once before. My views are the same as before, but the opinions of the Government as a whole prevail, and that is a Cabinet secret."

Mr. A. Ranganatha Mudaliyar :—"So far as the sureties are concerned, did they fulfil all the requirements of the Government ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"Yes."

Mr. G. Harisarvottama Rao :—"In view of the answers given by the hon. the Law Member, may I know whether he will solve the difficulty of Cabinet secrecy early and enforce his individual opinion on the Government and release Narayana Menon ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"It is beyond me to say that."

Dr. B. S. Mallayya :—"May I know, Sir, from the hon. the Law Member what is that abnormal condition in Malabar that is dangerous for the release of Narayana Menon and also what are the conditions exactly that will satisfy the Government in order to release this gentleman ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"I stated more than once in answer to questions that the conditions in Malabar have become normal."

Mr. K. R. Karant :—"May I just ask, Sir, whether after the hon. Member assumed office, he has made any serious attempts to modify the conditions for the release of Narayana Menon ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"I have stated in answer to similar questions again and again that it is a Cabinet secret."

Rao Bahadur C. S. Ratnasabhapati Mudaliyar :—"If the conditions are normal, what is the difficulty to release him ?"

The hon. Diwan Bahadur M. Krishnan Nayar :—"Mr. Narayana Menon has not consented to give an undertaking that he will not take part in political activities."

Mr C. V. Venkataramana Ayyangar :—"May I know whether the Cabinet means the Cabinet of four or of seven ?"

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The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That again is a Cabinet secret."

Mr. ABDUL HAMEED KHAN :—" The hon. the Law Member stated in answer to one of the questions that the conditions in Malabar have become normal since the time when the terms were offered to Narayana Menon for his release. In view of that, has the Law Member made any attempts to see that the conditions that were offered then to Mr. Narayana Menon for his release were reduced or modified ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" My friend, I am sorry to say, has not read the answer carefully. There are two conditions. The first is that Narayana Menon should not engage in political activities, and the second is that he should not travel or reside in Malabar so long as the conditions in Malabar are abnormal. The conditions are normal in Malabar. But, so far as Narayana Menon's taking part in political activities is concerned, that is quite independent of the conditions of Malabar."

Mr. ABDUL HAMEED KHAN :—" May I know if the hon. Member is aware that if Mr. Narayana Menon was kept in jail, it was because the conditions in Malabar were not satisfactory at that time in the opinion of the Government? And when the Government are now assured and when the hon. the Law Member is satisfied that the conditions in Malabar are normal, does he not think that he is justified in giving Narayana Menon his freedom ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am sorry to say I have not been able to follow the involved question of my friend."

The hon. the PRESIDENT :—" When the hon. Member is not able to understand the question, the best thing to do is to refuse to answer the question at once."

Mr. SAMI VENKATACHALAM CHETTI :—" Is it the intention of the Government to impose the condition that Narayana Menon should not take part in political activities for all his life ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" That is the present intention."

Mr. SAMI VENKATACHALAM CHETTI :—" May I know if the Government were of that opinion previous to Mr. Krishnan Nayar's appointment as Law Member ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes."

Mr. SAMI VENKATACHALAM CHETTI :—" May I therefore request him to peruse the previous Government Law Member's speeches once again ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, I shall read them very carefully."

Mr. S. SATYAMURTI :—" May I know, Sir,—if my hon. friend can be serious for half a minute—why the Government do want that Mr. Narayana Menon should not engage in political activities for the rest of his life in spite of their admission that conditions in Malabar have become normal ?"

The hon. Diwan Bahadur M KRISHNAN NAYAR :—" Because in the opinion of Government, Narayana Menon's political opinions are dangerous, he is a very clever man and by his preaching on political matters, he will be able to influence others."

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Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" Are the ways of Government so bad that poor Narayana Menon's preaching or writing will affect the tranquillity of Malabar ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is because of the preachings of clever and seditious persons that sometimes the security of even strong Governments in the world is endangered."

Mr. P. BHAKTAVATSULU NAYUDU :—" Mr. President, do the Government think that they are so weak as to be tattered and torn by one man like Narayana Menon ? "

The hon. the PRESIDENT :—" That is asking for an opinion."

Mr. S. SATYAMURTI :—" May I ask my hon. Friend whether this opinion of the destiny of humanity which my hon. Friend just now gave as to the instability of Government under the influence of clever and seditious speakers is the opinion of the hon. the Law Member or of that Cabinet which is enveloped in secrecy ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" It is my own individual opinion, Sir."

Local Boards

Introduction of an amending Bill to the Local Boards Act.

*562 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the Government proposes to introduce an amending Bill to the Local Boards Act ;

(b) whether a final draft amending Bill is ready ;

(c) whether the Government propose to abolish nominations altogether ; and

(d) whether the Government have considered any method of reserving seats to Mussalmans, Indian Christians and depressed classes in elections?

A.—(a) & (b) A draft Bill was prepared and referred to all local boards for remarks. The Bill with the criticisms received thereon from the local boards and individuals consulted, is being placed before the Local and Municipal Advisory Committee at a meeting to be held on the 15th October.

(c) The Government propose to abolish nominations reserving however power to appoint to any district board such number of persons as they think fit not exceeding three to represent the European or Anglo-Indian community or officers of Government. Persons so appointed will, it is suggested, be supernumerary members, irrespective of and in addition to the strength fixed for the particular district board.

(d) Yes.

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Alleged nomination of ex-presidents of district boards to the same boards.

* 563 Q.—Mr. C. Obi Reddi : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that vacancies in the nominated seats of the district boards are filled up by nominating the outgoing presidents of the said boards ; and

(b) if so, on what principle ?

A.—(a) & (b) Outgoing presidents of district boards are occasionally nominated as members because it is considered desirable to secure for the Boards the benefit of their administrative experience.

Excise

Rentals from liquor shops in Ceded districts.

* 564 Q.—Mr. G. Harisarvottama Rao : Will the hon. the Minister for Public Health be pleased to state in view of answers given to question No. 261 on 8th September 1928—

(a) whether the report said to have been called for in (a) and (b) has been received, if so, what it is ; and

(b) what is the percentage of cases in which the upset price was fixed lower than the last year's rental during the last three years in the Ceded districts and what is the percentage in which it was fixed higher ?

A.—(a) The report has been laid on the table.

(b) The Government do not have the information.

Mr. G. Harisarvottama Rao :—" May I know from the hon. the Minister for Public Health whether in view of the fact that from the report laid on the table it appears that the drink evil has increased and the number of shops has increased at any rate in two districts, he will give us an opportunity to judge of that by calling for the information asked for by me ? "

The hon. Mr. S. Muthiah Mudaliyar :—" I am not able to follow, Mr. President, how the information asked for will answer the doubt raised by my hon. Friend."

Mr. G. Harisarvottama Rao :—" May I know whether the hon. the Minister will call for the information, Sir, in order that we may be able to know exactly what the effect of the policy of fixing rentals is on the number of shops ? "

The hon. Mr. S. Muthiah Mudaliyar :—" As will be seen from the answer, in two of the districts the number of shops has gone down by 7 or 8 and in two of the districts, on the advice of the Excise Advisory Committees, two shops have been newly opened. Whether the question as regards the rise or fall of rentals of the shops has any bearing on the closing or opening of shops or not, I am not able to say. If however the hon. Member is anxious about the information, I shall try and get it for him. But it is not now available."

Government policy towards prohibition.

* 565 Q.—Mr. G. Harisarvottama Rao : Will the hon. the Minister for Public Health be pleased to state in view of replies given to question No. 76 on 4th September 1928 regarding Government policy towards prohibition—

(a) what the further details of the scheme are which were under the consideration of the Government ;

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(*b*) whether the consideration thereof has been concluded;

(*c*) what the final scheme is as settled by the Government; and

(*d*) what amount the Government propose to spend upon the scheme during the current financial year?

A.—(*a*), (*b*), (*c*) & (*d*) The subject is still under the consideration of the Government. Details have not yet been settled.

Mr. D. NARAYANA RAJU:—"May I know how long this subject has been under the consideration of the Government and what time it will take to come to a decision?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"In the last Council the matter was answered, and since then the matter is being considered."

Mr. G. HARISARVOTTAMA RAO:—"May I know how much time approximately the Government will take to complete the working out of the details which they say have not yet been settled?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Probably two or three months."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"The question relates to the policy of the Government in regard to prohibition. I should like to know from the hon. the Minister whether by doing propaganda work he can achieve prohibition at all?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I believe so, Sir; it may be right or it may be wrong."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR:—"May I know, with reference to propaganda work, whether it is being directed towards preventing people from drinking or only for preaching moderation in drinking?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Propagandists will say, 'do not drink'; what effect it will have on the people it is not possible to say now." (Laughter by the Members seated behind the Treasury bench.)

Mr. S. SATYAMURTI:—"I think, Sir, the Government Secretaries can help us by helping us to hear the answers, instead of laughing so loudly. They are so amused at the Minister's replies; but they can restrain their amusement for the benefit of those who have to hear the answers.

"Will my hon. friend the Minister say whether, in view of the policy being said to be prohibition, any of the steps contemplated will actually amount to *prohibiting*, in its natural sense, the people who are resorting to the toddy or arrack shops from drinking, or whether such steps only amount to only *dissuading* people from drinking?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Prohibition by legislation or forcible means is not a part of the propaganda work, but I think prohibition is part of the effect of such propaganda work."

Mr. G. HARISARVOTTAMA RAO:—"May I know when the Government will arrange a scheme—it may not be legislation exactly, but it may be persuasion or peaceful picketting with a view to enforce prohibition?"

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" It depends upon what sense is attached to picketting. If the hon. Member means that the Government should take steps to prevent people from entering the shops, then Government do not propose to do that; but anything short of it, they will do."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" The answer says that the subject is still under the consideration of Government. May I know if the hon. the Minister for Excise has consulted the Excise Advisory Committee and taken their opinion on this question ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" It was first placed before the Excice Advisory Committee and it is on their advice that all the steps are being taken."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask the hon. the Minister once again, Sir, whether this propaganda would be carried on with a view to tell the people that they should not drink at all or with a view to tell them that they should drink only with moderation ? I ask this, Sir, because moderation is not prohibition."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am afraid the hon. Member has not followed my answer. We will say to the people ' do not drink ' and not ' drink in moderation '."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" I believe Government agency is going to be employed ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" As far as possible."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the Minister has under consideration any scheme for enforcing prohibition by picketting or other methods ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" As I said, picketting is a very wide term. If the hon. Member wants any specific steps to be taken, I shall consider."

Mr. A. RANGANATHA MUDALIYAR :—" Will the agents also advise the people not to bid for shops ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" No."

Mr. J. A. SALDANHA :—" Is the Government going to compile any Manual called the Prohibition Manual ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The hon. Member was telling the other day that he was having two books on other matters for publication. If he writes another on this subject and gives it to me, I shall consider it."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR :—" The hon. Minister said that picketting is a very wide term. Will he prevent even peaceful picketting ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the hon. Member will tell me what he exactly means, by the word ' picketting ', or if he gives me any instance, I shall try to answer."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know if the Excise department agency is going to be used for stopping this drink evil ?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If they can possibly do it."

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Mr. S. SATYAMURTI :—"With reference to the answer of the Minister to the question of my hon. Friend from Coimbatore, may I ask specifically whether it is open to volunteers, Congress or otherwise, to stand about a hundred yards, from a toddy or arrack shop and dissuade people who go there and point out the evils of drink? I say it is a peaceful and legitimate means. In that case, will the Government or the Minister representing the Government, without being tutored by the hon. the Finance Member, give an undertaking that they won't prohibit such peaceful and legitimate picketting?"

The hon. the PRESIDENT :—"I request the hon. Member to put his question in a form which is not hypothetical."

Mr. S. SATYAMURTI :—"Will the hon. the Minister be pleased to state whether the Government will or will not prohibit an assembly of Congress or other volunteers before toddy or arrack shops using all peaceful and legitimate means in order to dissuade people from going to drink?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"If such assembly does not disturb the public peace and if it does not offend against any other law, the Government won't prevent it."

Mr. S. SATYAMURTI :—"With regard to the auctions held by Collectors of districts, will the Government prohibit any peaceful persuasion by Congress or other volunteers telling the prospective bidders not to bid at the auction and thereby encouraging the habit of temperance among the people?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"It is open to any citizen of the State to go and dissuade his neighbour from bidding at the auction, and if it is peacefully done, the Government will not interfere."

Report of the Committee on the consumption of opium in East Godavari district.

*566 Q.—Mr. B. VENKATARATNAM: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether orders have been passed on the report submitted by the Committee of Enquiry on excessive consumption of opium in East Godavari district in April 1928; and

(*b*) whether a copy of the same will be placed on the table?

A.—(*a*) The answer is in the negative.

(*b*) Does not arise.

Mr. C. RAMASOMAYAJULU :—"May I know whether the Government will be pleased to place the report of the Enquiry Committee on the table? In answer to question (*b*) asking for a copy, the answer is 'Does not arise.' I am only asking for a copy?"

The hon. Mr. S. MUTHIAH MUDALIYAR :—"The report of the Committee along with the orders passed thereon will be placed on the table as soon as possible."

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Medical

Providing a hostel for the students of the Government School of Indian Medicine.

*567 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Public Health be pleased to state—

(a) whether the Government are aware that the mufassal students of the Government School of Indian Medicine are suffering in health and comfort for want of hostel accommodation; and

(b) what steps Government propose to take for providing the students with a hostel?

A.—(a) A report has just been received from the Principal of the School regarding the need for a hostel.

(b) The matter is engaging the attention of the Government.

Mr. A. RANGANATHA MUDALIYAR:—"In the answer it is stated that a report has just been received. May I know, Sir, when the report was actually received by the Government?"

11-45 a.m. The hon. Mr. S. MUTHIAH MUDALIYAR:—"I should say within a month, Sir."

Mr. P. ANJANEYULU:—"May I ask, Sir, whether it is likely to materialise before the next budget, Sir?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"The Government will take as early steps as possible under the circumstances."

Industries

Proposed transfer of the Government rights of mortgage on the Carnatic Paper Mills.

*568 Q.—Dr. B. S. MALLAYYA: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Government have decided to transfer to an European purchaser their rights of mortgage on the Carnatic Paper Mills for a sum of 4½ lakhs of rupees, and if so, what are the conditions of the transfer;

(b) whether it is a fact that the share-holders have invested in the company a sum of over 13 lakhs;

(c) whether the Government have taken any action to safeguard the interests of the share-holders; and

(d) whether the Government will be pleased to consult the shareholders and give an opportunity to the Legislative Council to discuss the matter before effecting the transfer?

A.—(a) The question of the disposal of Government interest in the concern is under consideration.

(b) Yes.

(c) No.

(d) In view of the discussions of the Legislative Council that took place on this subject on the 5th September 1928 it is not proposed to take any action as suggested.

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Origin of the Carnatic Paper Mills, Limited.

* 569 Q.—Mr. K. V. R. Swami : Will the hon. the Minister for Development be pleased to state--

(a) when the company under the name of the Carnatic Paper Mills Company, Limited, Rajahmundry, was formed ;

(b) the purpose for which the mill was intended to be started ; and

(c) what the subscribed capital of this concern is ?

A.—(a) 1920.

(b) For manufacturing paper pulp from bamboo and paper from paddy straw.

(c) Rupees 16,74,820 on 30th June 1927.

Inspection of the Carnatic Paper Mills Company, Limited, by the Director of Industries.

* 570 Q.—Mr. K. V. R. Swami : Will the hon. the Minister for Development be pleased to state—

(a) whether the Director of Industries inspected the Carnatic Paper Mills in 1925 when the application for loan was first made ;

(b) whether any report was sent by him on this subject ; and

(c) if so, whether the report will be placed on the Council table ?

A.—(a) The Director visited the Mills in 1924. It was in that year the Company applied for a loan.

(b) & (c) No report was submitted to Government ; but his inspection was done with a view to collecting certain particulars for the information of the Board of Industries.

Mr. C. Ramasomayajulu :—" In the answer it is stated that no report was submitted to Government : may I know what instructions the Government gave, as it is stated in the answer that the inspection was done with a view to collection of certain particulars for the information of the Board of Industries ? May I also know, Sir, what those particulars are and whether the Government will be pleased to place them on the table ? "

The hon. Dr. P. Subbarayan :—" I want notice, Sir."

Application of the Carnatic Paper Mills Company, Limited, for a loan of 6 lakhs.

* 571 Q.—Mr. K. V. R. Swami : Will the hon. the Minister for Development be pleased to state—

(a) whether the Carnatic Paper Mills applied for a loan of six lakhs more on the strength of the recommendation of the Tariff Board in 1925 ;

(b) whether that application was considered by the Government ; and

(c) if so, when and with what result ?

A.—(a) They applied for an additional loan of Rs. 4 lakhs and for an over draft with a Bank for Rs. 2 lakhs.

(b) Yes.

(c) It was considered in November 1925 and the loan could not be sanctioned as the full amount applied for was not admissible under the State Aid to Industries Act.

[For further list of starred questions, see page 493–503 infra.]

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UNSTARRED QUESTIONS

Holidays

Partial holiday for Muslims for Gyarween-Shareef.

572 *Q.*—Mr. K. P. V. S. MUHAMMAD MEERA RAVUTTAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have investigated the question of granting a partial holiday for Muslim public servants for Gyarween-Shareef, i.e., the 11th day of Rabi Ussani in accordance with the assurance given by the hon. Member in reply to a resolution on the subject moved by Mr. Syed Ibrahim, on 27th February 1928;

(*b*) if so, what is the result of that investigation; and

(*c*) whether the Government will be pleased to declare it as a partial holiday?

A.—(*a*) Yes.

(*b*) & (*c*) The enquiry has elicited the suggestion that a holiday for Muhammadans only on the eleventh day of Rabi Ussani should be substituted for the second holiday for Bakrid at present given for Muhammadans only. This suggestion is under consideration.

Irrigation

Maintenance of the road from the Vennar Regulator and Pandavayar Head to Kalathoor.

573 *Q.*—Mr. U. RAMASWAMI AYYAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether there is a dispute between the Nannilam Taluk Board and the Public Works Department regarding the payment of maintenance charges by the former to the latter for the road leading from the Vennar Regulator and Pandavayar Head to the village of Kalathoor No. 205, Nannilam taluk, Tanjore district;

(*b*) whether the Government are aware of the fact that the road has been blocked by the Public Works Department for the past 15 days and that the people of the surrounding villages are put to a great deal of inconvenience in this cultivation season;

(*c*) whether the Government are not armed with any other power to settle the dispute; and

(*d*) whether the Government will be pleased to issue orders to open the road at once?

A.—The Government have called for a report.

Land Revenue

Confidential records in the Revenue Department.

574 *Q.*—Munshi MUHAMMAD ABDUL WAHAB SAHIB Bahadur: Will the hon. the Member for Revenue be pleased to state—

(*a*) how are confidential notes against the staff maintained in the Revenue Department;

(*b*) whether the party concerned is given an opportunity to explain matters before a note is made in the confidential records against him;

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(c) whether the party concerned is furnished with a copy of such confidential notes;

(d) whether the party concerned is given opportunities to know his faults and mend his conduct;

(e) if not, whether the Government will be pleased in the interests of justice and fair play to consider the desirability of obtaining the explanation of the party concerned before making a note of the same in the confidential register and furnishing him with a copy just as is done in the Postal and Telegraph Departments?

A.—The hon. Member is referred to Board's Standing Order No. 132 which contains detailed instructions on the subject.

Legislative

Exemption of M.L.C.'s from postage rates.

575 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Revenue be pleased to state what action has been taken on the suggestions made during the debate on the motion for the reduction of the allotment for 'Supplies and Services—Legislative bodies' on 19th March 1928 with a view of securing to M.L.C.'s the privilege of being exempted from postal rates in their correspondence in connexion with their functions as M.L.C.'s?

A.—The House Committee has been requested to consider and advise on the suggestions regarding postal concessions to Members of the Legislative Council.

Minor Irrigation

Failure of crop under the Badvel tank in the Cuddapah district.

576 Q.—Mr. K. KOTI REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware of the failure of crops for a number of years during recent times, under the Badvel tank in the Cuddapah district owing to short supply of water; and

(b) whether the Government have investigated the possibility of supplying water to the above tank by a channel from the Sagileru river and with what result?

A.—(a) In the last fifteen years, there have been three years (namely, faslis 1323, 1333 and 1336) when supplies in this tank were seriously short

(b) Yes. The scheme was abandoned as it was found that it would not pay even its working expenses.

Labour

District Labour officers to be directly controlled by the Labour Commissioner.

577 Q.—Rao Sahib R. SRINIVASAN: Will the hon. the Home Member be pleased to state whether Government propose to place the District Labour officers under the direct control of the Commissioner of Labour?

A.—No.

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Civil Justice

Memorial from copyists in Judicial service.

578 Q.—Mr. K. Madhavan Nayar: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received any memorial from the copyists in the Judicial service about their pay and pension; and

(b) whether the Government are prepared to redress the long standing grievances of the said copyists, increase their pay and make their service pensionable?

A.—(a) Yes.

(b) The Government have considered the question and have decided that no increase in the pay of copyists is necessary and that their services need not be made pensionable.

Education

Alleged arrears of grants to J. K. Middle School, Penukonda.

579 Q.—Mr. J. Bheemayya: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether it is a fact that the teaching grants due to the J. K. Middle School, Penukonda, West Godavari, are in arrears for some years;

(b) if so, why; and

(c) when the grants in arrears will be paid?

A.—The Government have no information. They will call for it.

Local Boards

Nominations to the Palghat and Ponnani taluk boards.

580 Q.—Mr. K. Madhavan Nayar: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the names of the persons nominated to the taluk boards of Palghat and Ponnani during the last one year; and

(b) the principles followed by the District Board President in making such nominations?

A.—(a) & (b) The Government have no information.

Nomination of ex-military officers to municipalities and local boards.

581 Q.—Subadar-Major S. A. Nanjappa Bahadur: With reference to the answer to question No. 419 answered on 27th August 1927, will the hon. the Minister for Education and Local Self-Government be pleased to state the number of military Indian officers that have been nominated to the municipalities and local boards throughout the presidency since August 1927?

A.—Appointments of members of taluk and union boards are made by Presidents of district boards and Presidents of taluk boards, respectively. The Government have therefore no information as to the number of Indian military officers appointed to taluk and union boards. Appointments of municipal councillors and district

board members are made by Government and the hon. Member should have been able to obtain the information he requires from Part I-A of the *Fort St. George Gazette* which is supplied to all Members of the Legislative Council. An Indian military officer was appointed last year to the Trichinopoly Municipal Council.

Medical

Employment of trained midwives in rural dispensaries.

582 Q.—Mr. V. KAMESWARA RAO NAYUDU: Will the hon. the Minister for Public Health be pleased to state—

(a) how many rural dispensaries now exist;

(b) in how many of them trained midwives are employed by the medical officers; and

(c) whether the Government propose to take steps to have more midwives employed by increasing the necessary allowance?

A.—(a) There were 319 in existence on the 30th April 1928. No later information is available.

(b) Information is not available and has been called for.

(c) The Government have under consideration the question of increasing the subsidy given to midwives in rural dispensaries.

[For further list of unstarred question, see page 503 infra.]

STARRED QUESTIONS

Economic condition

Market rates of provisions published in the district gazettes.

*583 Q.—Mr. A. B. SHETTY: Will the hon. the Member for Revenue be pleased to state—

(a) whether the publication of prevailing market rates for provisions every month in district gazettes is meant merely for the information of the public or for any other purpose;

(b) whether the Government rely on these figures as a correct basis for revising rates of assessment at the time of resettlement;

(c) on whose information these prices are quoted and what safeguards are taken to vouchsafe the accuracy of such report;

(d) whether the public are entitled to question the accuracy of such figures and get them corrected;

(e) before whom and in what manner such complaints are considered; and

(f) whether it is a fact that in civil courts the Gazette rates are not taken as binding on parties unless both parties agree to abide by them?

A.—(a) The publication is intended to supply useful information both to the public and the officers of the Government.

(b) They are taken as affording data for comparison.

(c) The Taluk Sarishtadar or the Taluk head accountant in the Tahsildars' offices and the Head clerks in the Deputy Tahsildars' offices are responsible for the figures, and they have to

check their accuracy by personal enquiries from day to day. The Treasury Deputy Collector also has to check the figures before they are published in the Gazette.

(*d*) & (*e*) Complaints questioning the accuracy of the figures should be addressed to the Collector of the district.

(*f*) The Government are not aware of any rule on the subject.

Mr. A. B. SHETTY :—" With regard to answer to clause (*c*), Sir, May I know whether the Government made any enquiry to find out that the officers mentioned in the answer do really make personal enquiries from day to day and check the figures, as they are expected to do ? "

The hon. Sir NORMAN MARJORIBANKS :—" They have no reason to doubt it ? "

Mr. A. B. SHETTY :—" With regard to the answer to clause (*f*), the answer given is not the proper answer to my question. May I request the hon. the Revenue Member to give the answer required in clause (*f*) ? "

The hon. Sir NORMAN MARJORIBANKS :—" I do not know what further answer I can give, Sir."

Irrigation

Area on which inclusion fee has not been paid.

* 584 *Q.*—Mr. A. KALESWARA RAO : Will the hon. the Member for Revenue be pleased to state—

(*a*) the number of acres on which inclusion fees has not been paid up to end of fasli 1337 though they were included in the ayacut of Kistna Eastern Delta ;

(*b*) the number of acres out of them which have been cultivated wet by ryots on which penal assessments have been levied by Government in faslis 1337, 1336 and 1335, respectively ; and the total amount of penal assessments levied on them in each one of those three faslis ; and

(*c*) the number of acres out of them which are kept waste by ryots in each one of these three faslis for fear of penal assessment being levied ?

A.—(*a*), (*b*) & (*c*) The Government have not the information and have called for a report.

Supply of water for irrigation from the Red Hills tank.

* 585 *Q.*—Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have come to any definite conclusions with regard to the supply of water for irrigation from the Red Hills tank to the Red Hills and other villages under the tank ;

(*b*) if the answer to (*a*) be in the affirmative, whether the Government will place on the table a statement of their decision in the matter ;

(*c*) if the answer to (*a*) be in the negative, whether the Government propose to take early steps to allay the longstanding grievances of the villagers under the Red Hills tank ;

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(*d*) whether the Government are aware that the agricultural ryots under the Red Hills tank are being put to serious loss on account of the insufficient supply of water from the Red Hills tank;

(*e*) whether the Government propose to cut off altogether the supply of water from the Red Hills tank to agricultural ryots;

(*f*) if the answer to (*e*) be in the affirmative, whether the Government have consulted legal opinion as to the rights of the ryots to the supply of water from the Red Hills tank;

(*g*) if the answer to (*f*) be in the affirmative, whether the Government will lay on the table a statement about the legal opinion obtained; and

(*h*) if the answer to (*f*) be in the negative, whether the Government will consider the advisability of obtaining legal opinion on the matter?

A.—(*a*) *to* (*c*) The issues of water for the irrigation of lands under the Red Hills tank are governed by rules which were framed with due regard to the rights of parties and the necessity for the supply of drinking water for the City of Madras. Certain improvements to the upper supply channel leading from the Tamarapak anicut to the Cholavaram tank estimated to cost Rs. 86,250 are in progress and will be completed in about a month.

(*d*) The Government have received complaints to this effect and as stated above are doing what they can to improve the supply to the Red Hills tank.

(*e*) No. Issues for irrigation will continue to be allowed in accordance with the rules referred to above.

(*f*), (*g*) & (*h*) In view of the negative answer to clause (*e*) these points do not arise.

Mr. C. N. Muthuranga Mudaliyar:—"May I know, Sir, whether the improvements which are in progress to the upper supply channel leading from the Tamarapak anicut to the Cholavaram tank, will improve the chances of water-supply to the ryots?"

The hon. Sir Norman Marjoribanks:—"That is why it was undertaken."

Dr. B. S. Mallayya:—"May I know, whether the Government are aware that the Public Health Minister received a deputation from the ryots and that he promised them compensation from the Corporation of Madras for the loss of their revenue from cultivation due to shortage of water?"

The hon. Sir Norman Marjoribanks:—"I am not aware of it."

Mr. Sami Venkatachalam Chetti:—"May I know from the hon. Member if the upper supply channel which is being improved is only intended to give benefit to the ryots?"

The hon. Sir Norman Marjoribanks:—"It depends on the supply and the amount of water that will be stored for the purpose."

Diwan Bahadur R. N. Arogyaswami Mudaliyar:—"May I know, Sir, whether it is the intention of Government to carry out such comprehensive improvements as will overcome the present difficulty about irrigation?"

The hon. Sir. Norman Marjoribanks:—"It remains to be seen whether what is being done will have that effect or whether something more is necessary."

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Diwan Bahadur R. N. Arogyaswami Mudaliyar :—" Is it the intention of Government only to carry out improvements to the upper supply channel and then to wait and see what further should be done ? "

The hon. Sir Norman Marjoribanks :—" We are carrying out the suggestions for improvement made by the Engineers. If these are found inadequate we shall see what more can be done."

Dr. B. S. Mallayya :—" May I know, Sir, if there is shortage of rain, what the Government are going to do for the supply of water ? "

The hon. Sir Norman Marjoribanks :—" That question I must leave to be answered by the hon. Member himself."

Central Record Office

Publications made by Mr. H. Dodwell as Curator of the Madras Record office.

* 586 Q.—Mr. Basheer Ahmad Sayeed : Will the hon. the Member for Finance be pleased to state—

(a) how long Mr. H. Dodwell was holding the post of Curator of the Madras Record office ;

(b) what were the publications that were published by him in respect of cataloguing, press listing, translation of Ananda Ranga Pillai Diary, printing of old records, etc. ; and

(c) who attended to the several duties connected with the Record office between 1908 to 1911 under publication, research and referencing ?

A.—(a) From April 1911 to March 1922.

(b) A complete list of the publications issued by Mr. Dodwell is not readily available.

(c) In 1908 a Superintendent was appointed to be in charge of the records under the Chief Secretary. In 1909, the Superintendent was placed under the general direction of Mr. C. M. Schmidt, who was then Inspector-General of Registration.

Preparation of the calendar after 1755 in the Record office.

* 587 Q.—Mr. Basheer Ahmad Sayeed : Will the hon. the Member for Finance be pleased to state—

(a) whether at present any calendar is being prepared in the Record office for the period after 1755 ;

(b) who prepared the manuscripts of the calendars and when ;

(c) in what stage it was left when the present Curator took charge of the office ;

(d) when the work will be completed ;

(e) whether it is a fact that except passing the proofs that are checked by the clerk on this duty, there is nothing else to be done under this head of work also ;

(f) when the manuscripts of calendars, if any after 1755, were sent to the press for printing ; and

(g) what is the delay due to, in not issuing this work till now ?

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A.—(*a*) No.

(*b*) Mr. Dodwell as Curator.

(*c*) Mr. Dodwell published two volumes and a third volume is now passing through the press.

(*d*) That volume is expected to pass through the press in about a year.

(*e*) The question is not understood.

(*f*) As stated above the third volume is passing through the press now.

(*g*) Calendaring was temporarily postponed when Mr. Dodwell left.

Forests

Supply of fuel for Kurnool town.

* 588 *Q.*—Mr. G. Harisarvottama Rao: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that both in the town of Kurnool and in the town of Nandyal in the Kurnool district fuel is selling at abnormal rates ranging from Rs. 13 to Rs. 16 a cart-load;

(*b*) what arrangements the Government have made to supply the people of these towns with fuel and at what standard rates; and

(*c*) what the reserves are which are actually serving the needs of the Kurnool town?

A.—(*a*) Unsplit fuel is sold at Rs. 10 per cart-load (taking 1 cart-load equal to ½ ton) in both Kurnool and Nandyal towns. The price of split fuel in Kurnool town has been Rs. 13 per cart-load and its price in Nandyal town is Rs. 11–4–0 per cart-load.

(*b*) The reserves under departmental control which can be economically worked for fuel, are being worked under definite working schemes for supply of fuel to the two towns. Annually about 500 acres of the Nallamalai Terrai forests and of the Yerramalais are felled for the supply of fuel and small timber to Kurnool. Similarly about 1,100 acres are felled annually in the South Kurnool forests for the supply of fuel and small timber for Nandyal. Steps have been taken during the year to transport by rail part of the yield of fuel from the South Kurnool forests to Kurnool.

In every case where fuel areas are worked departmentally as in the West Kurnool division a standard rate not exceeding Rs. 1–4–0 for every 72 stacked cubic feet of fuel (equal to about half a ton) has been fixed for delivery at site of coupe to all bona fide ryots. In the case of fuel coupes leased to contractors, as in South Kurnool division, steps have been taken during the year to bind the contractors to sell fuel to bona fide ryots at standard rates. A revision of this rate is under the consideration of the local officers.

(*c*) The reserves are—

(1) Nandyal.

(2) Nandikotkur.

(3) Yeparlapad.

Mr. G. HARISARVOTTAMA RAO :—" May I know from the hon. the Law Member whether, in view of the experience we have had of the contractors hitherto, any arrangements have been made for the inspection of the contractors' coupes for the purpose of ascertaining whether they are carrying out this condition of their contract, that they should sell fuel at standard rates to ryots ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I am not able to say now, but if my hon. Friend gives me notice, I will make enquiries."

Mr. G. HARISARVOTTAMA RAO :—" May I know, Sir, now if he will order such arrangements to be made ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" As a matter of fact, the order has already been passed that they should sell at standard rates."

Mr. G. HARISARVOTTAMA RAO :—" I am asking, Sir, whether the hon. the Law Member will be willing to send out instructions that the contractors' coupes should be examined from time to time by the authorities concerned or by some other agency to find out whether they are fulfilling these conditions or not ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I shall do so, Sir."

Report regarding fire tracing in exterior lines of forests by forest panchayats.

* 589 *Q.*—Mr. A. B. SHETTY : Will the hon. the Law Member be pleased to tate whether he has received the report referred to in the answer to question No. 5 answered on 3rd September 1928 regarding the fire tracing of the exterior lines of forests by forest panchayats ?

A.—Yes. A copy [a] of the Chief Conservator's report is appended.

Mr. A. B. SHETTY :—" With reference to the information furnished by the Chief Conservator in clause (*a*), may I ask why this new condition was inserted in the agreement last year ? (Appendix I—Question 5, dated 3rd September 1928.)"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I want notice."

Mr. A. B. SHETTY :—" With reference to clause (*d*), may I know, Sir, whether this refund of grazing fees was not given even before this new duty was imposed upon the forest panchayats ?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Notice again, Sir."

Mr. A. B. SHETTY :—" May I know, Sir, whether the Government propose to remove this new condition from the agreement in view of the fact that five out of the nine panchayats have declined to renew their agreements ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" No. Sir."

Mr. A. B. SHETTY :—" May I know, Sir, why ? "

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" Because Government will otherwise have to spend money."

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a Printed as Appendix IV on pages 541–542 infra.

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Education

Estimate of expenditure for exempting poor girls from school fees.

*590 Q.—Mr. G. HARISARVOTTAMA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the Director of Public Instruction has submitted the detailed estimate of the expenditure involved in giving effect to the resolution of this Council on 5th November 1927 on the question of exemption of poor girls reading in classes up to III form from the payment of fees; and

(b) if they have received the estimate, what action they propose to take in the matter?

A.—The estimate has not yet been received.

Mr. G. HARISARVOTTAMA RAO:—"May I know, Sir, when the estimates were called for?"

The hon. Dr. P. SUBBARAYAN:—"Soon after the resolution was passed in this Council."

Mr. G. HARISARVOTTAMA RAO:—"Now that it is a long time since, may I know whether he will expedite and get the information?"

The hon. Dr. P. SUBBARAYAN:—"Yes, I will ask the Director of Public Instruction."

Classification of students in Government Colleges as rich and poor.

*591 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Local Self-Government be pleased to state the principles according to which students studying in Government colleges are classified as belonging to the richer, middle and poor classes respectively?

A.—Pupils the annual income of whose parents or guardians is Rs. 7,000 and upwards are classified as 'richer', those whose parents or guardians derive an annual income of Rs. 400 and upwards but below Rs. 7,000 are classified as 'middle' and those pupils the annual income of whose parents or guardians is below Rs. 400 are classed as 'poorer'.

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"May I know, Sir, whether the hon. Minister for Local Self-Government considers that a monthly income of Rs. 34 can be taken as representing the earning of a middle class man?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir."

Local Boards

Throwing open to election the District and Taluk Boards in Kistna district.

*592 Q.—Mr. A. KALESWARA RAO: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when the Kistna District Board and the taluk boards in the Kistna district are likely to be thrown open to election; and

(b) how many seats will be thrown open to election and how many will be kept for nomination for the Kistna District Board?

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A.—(a) The Special Officer of the District Board has reported that he proposes to confirm the resolution fixing the total and elective strengths of the taluk boards on the 21st October 1928 and expects to hold the elections for taluk boards in the first half of January next year. Elections of members to the district board will be held as soon as the elections and nominations to taluk boards have been completed

(b) The strength of the district board has been fixed at fifty-two members of whom forty will be elected.

The ZAMINDAR OF GOLLAPALLI :—" Will the hon the Minister for Local Self-Government be pleased to state the strength of the taluk board of Kistna and the number of nominations ? "

The hon. Dr. P. SUBBARAYAN :—" The Government have not that information."

Poor-houses

Government aid to the Beggars' Home, Madras.

* 593 Q.—The ZAMINDAR OF GOLLAPALLI : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) what help the Government are rendering to the Beggars' Home at Madras ; and

(b) whether they will be pleased to introduce legislation to enable the city police to send all street beggars to that asylum ?

A.—(a) The Government transferred to the Corporation in 1925 the old Leper Hospital buildings in which the Beggars' Home is now located. No other financial assistance is being given by Government.

(b) The question of legislation is under correspondence with the Corporation of Madras.

Religious and Charitable Endowments

Nomination of a member from the Nagarathar community to the Temple Committee, South Arcot.

* 594 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) the reasons for nominating M.R.Ry. Diwan Bahadur A. M. M. Murugappa Chettiyar, M.L.C., as a Member of the Temple Committee, South Arcot, especially when a member of the Nagarathar community (Mr. A. Muthiah Chettiyar, son of Sir A. Annamalai Chettiyar, *Kt.*), has been nominated thereto ;

(b) whether it is a fact that Mr. Murugappa Chettiyar has no landed property in Chidambaram taluk or anywhere in the district of South Arcot ;

(c) whether it is a fact that he does not reside in Chidambaram and has no place of residence in South Arcot ;

(d) what interests were intended to be served by his nomination ;

(e) the reasons for not nominating a member of the Vellala community to the Committee ;

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(*f*) whether any attempt was made to secure suitable persons in Tindivanam and Villupuram taluks for nomination, and if so, with what result; and

(*g*) what are the special reasons for nominating 5 persons from Cuddalore taluk out of 11 persons nominated so far; and

(*h*) whether the Government intend to nominate a member of the Vellala community for the seat now vacant?

A.—(*a*) & (*d*) It is well known that the temples of Southern India owe much to the munificence and religious devotion of the Nagarathar community. Apart from this, the gentleman in question has evinced a particular personal interest in the temple at Chidambaram.

(*b*) & (*c*) The Government have no information.

(*e*) A member of the Vellala community, M.R.Ry. M. G. Parthasarathi Mudaliyar Avargal, has been appointed to the Committee.

(*f*) The nominee selected for the representation of the Villupuram taluk declined to serve. The question of appointing a suitable person from the Tindivanam taluk will be considered.

(*g*) Members are not selected solely with reference to the taluk in which they happen to reside.

(*h*) The question will be considered.

Mr. M. V. GANGADHARA SIVA :—" May I know, Sir, whether any depressed class representatives have been nominated ? "

The hon. Dr. P. SUBBARAYAN :—" No, Sir."

Mr. M. V. GANGADHARA SIVA :—" May I know the reason, Sir ? "

The hon. Dr. P. SUBBARAYAN :—" The reasons are obvious, if the hon. Member would only think over that."

Mr. G. HARISARVOTTAMA RAO :—" May I ask the hon. Minister to state what those obvious reasons are ? "

The hon. Dr. P. SUBBARAYAN :—" I said before if the hon. Member applied his mind, he would find the answer."

Medical

Sending Captain Srinivasamurti, Principal of the Government School of Indian Medicine, on deputation to Northern India.

* 595 *Q.*—Mr. A. KALESWARA RAO : Will the hon. the Minister for Public Health be pleased to state—

(*a*) for what purpose Captain Srinivasamurti, the Principal, Government School of Indian Medicine, was deputed to Northern India recently ;

(*b*) what are the recommendations contained in his report ;

(*c*) whether the Government will be pleased to place his report on the table ; and

(*d*) what steps Government propose to take to give effect to his recommendations ?

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A.—(*a*) The Principal was deputed to the United Provinces to gather first hand information of the action that was being taken there to encourage and develop indigenous systems of medicine and to furnish the Government with a full report.

(*b*), (*c*) & (*d*) The recommendations made in the report are being considered and will be published as soon as conclusions are arrived at.

Hostel attached to the Medical School at Rayapuram.

* 596 *Q.*—Dr. B. S. MALLAYYA: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether there is a hostel attached to the Medical School at Rayapuram; and

(*b*) if so, whether it is open to the students of the Madras Medical College?

A.—(*a*) Yes.

(*b*) No.

Dr. B. S. MALLAYYA:—"May I know whether this hostel was accommodating till year before last eight students from the Medical College?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"I want notice, Sir."

Dr. B. S. MALLAYYA:—"May I know why they were turned out this year, Sir?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"When I have asked for notice for the first question, it follows that this question also requires notice."

Dr. B. S. MALLAYYA:—"Is it notice always, Sir?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"Notice for a consequential question."

Appointment of lady sub-assistant surgeons in Nellore district.

* 597 *Q.*—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government have received any report or representation from Gudur and Kavali, either from the public or from the local boards concerned or from the District Medical Officer, Nellore, requesting them to appoint lady sub-assistant surgeons in the hospitals of the abovementioned divisional headquarters; and

(*b*) if so, whether they have considered the question and with what results?

A.—(*a*) & (*b*) A representation was received from the President, Taluk Board, Gudur, for the appointment of a lady sub-assistant surgeon in the Gudur hospital. The District Medical Officer and the Surgeon-General considered that the appointment was not necessary at present. The Government agreed with them. No representation has been received in regard to the Kavali hospital.

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Mr. B. Ramachandra Reddi :—"May I ask, Sir, whether it is the Government or the Surgeon-General that consulted the District Board President on this matter ?"

The hon. Mr. S. Muthiah Mudaliyar :—"I am not aware of it. I think the District Medical Officer and the Surgeon-General would have considered the matter before recommending to Government."

Mr. B. Ramachandra Reddi :—"May I know the opinion of the District Medical Officer ?"

The hon. Mr. S. Muthiah Mudaliyar :—"The District Medical Officer and the Surgeon-General considered that the appointment was not necessary at present."

Public Health

Report on Ahobilam protected water-supply scheme.

*598 Q.—Mr. G. Harisarvottama Rao : Will the hon. the Minister for Public Health be pleased to state in view of replies given to question No. 154 on 5th September 1928—

(a) whether the report of the President, Kurnool District Board, has been received on the question of the Ahobilam protected water-supply scheme ; and

(b) if so, what it is ?

A.—(a) Yes.

(b) A copy [a] of the report is placed on the table.

[For further list of starred questions, see pages 504–511 infra.]

UNSTARRED QUESTION

Landlord and Tenant

Applications for settlement of rents under Chapter XI of the Estates Land Act since January 1928 from the villagers of Dharakote estate.

599 Q.—Sriman Biswanath Das Mahasayo : Will the hon. the Member for Revenue be pleased to state—

(a) the number of villages in Dharakote estate that have applied for settlement of rents under Chapter XI of the Estates Land Act since January 1928 ;

(b) the number of villages that have fully deposited the amounts ; and

(c) whether the Government would be pleased to accord early sanction of the settlement operations in that estate ?

A.—(a) The Board of Revenue reports that applications have been made from 47 villages.

(b) The Board of Revenue reports that 11 villages have made deposits in full.

(c) The matter will be considered when the applications and report of the Collector and the Board of Revenue thereon reach the Government.

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[a] Printed as Appendix V on page 542 infra.

STARRED QUESTIONS

Irrigation

Accumulation of sand and silt on the river bed of the Godavari.

*600 Q.—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the river bed of the Godavari above the anicut is being gradually covered by sand and that the volume of water is getting diminished as a result thereof;

(*b*) whether an enquiry has been made as to the reasons for the accumulation of sand and silt; and

(*c*) whether the Government would call for a report as regards the causes that lead to the accumulation of sand and silt and the measures necessary to prevent the same?

A.—(*a*) *to* (*c*) A report has been called for.

Mr. C. RAMASOMAYAJULU:—"Can I take it that the Government have not bestowed any attention up to now on the river bed which is being gradually covered by sand and lankas?"

The hon. Sir NORMAN MARJORIBANKS:—"No, Sir."

Land Assignment

Assignment of land in Andhra districts to two gentlemen.

*601 Q.—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that about 500 acres of land in the Andhra districts have been recently assigned to two very respectable politicians of this Presidency;

(*b*) if so,

(1) the names of the two gentlemen to whom the assignments were made;

(2) the district or districts in which the respective assignments were made;

(3) the estimated value and the extent of the land assigned to each;

(4) the conditions under which the assignments were made;

(5) the dates of the applications and those of the assignments;

(6) whether the usual procedure under darkhast rules were observed in both the cases;

(7) whether any money was received by the Government from the assignees, being the value of the lands assigned, and if so, the respective amounts received;

(8) whether there were any trees on the lands assigned;

(9) if the answer to (8) is in the affirmative, whether any money was recovered for the values of the trees;

(*c*) whether any, and if so, what objection was originally taken against the assignment of the land to the two gentlemen or to one of them, by subordinate revenue authorities; and

(*d*) whether the assignments in one or both the cases, were ultimately made on the intervention of a high authority of the Government?

A.—(*a*) & (*b*), (1) *to* (4) & (7) *to* (9).—G.O. Mis. No. 1027, Revenue, dated 10th May 1928, is laid on the table [a]. The applicants were not described to the Government as politicians and the assignment was not made to them as such.

(*b*) (5) The exact date of the application is not mentioned in the papers with the Government. The Collector recommended the application to the Board of Revenue on 15th May 1927 and the Board of Revenue recommended it to Government on 5th December 1927.

(*b*) (6) The rules in Board's Standing Order No. 15 contain no provision to regulate the disposal of land for plantation purposes in the Agency tracts. This was the first application of its kind in those areas and was dealt with by Government under paragraph 3 (3) of Board's Standing Order No. 15.

(*c*) The Government are not aware of any such objection by the subordinate Revenue authorities. Both the Collector and the Board recommended the application.

(*d*) The question is not understood. The orders were issued by the Government.

Mr. C. N. MUTHURANGA MUDALIYAR :—"May I know, Sir, if any other members of this House were granted assignments either this year or previously ?"

The hon. Sir NORMAN MARJORIBANKS :—"I have to make enquiries. There are about 120 members in this House and as to whether they have obtained any darkhasts or not, I should like to have notice, Sir."

Mr. C. N. MUTHURANGA MUDALIYAR :—"Is there any such precedent of granting lands to sitting members of this House anywhere in the province ?"

The hon. Sir NORMAN MARJORIBANKS :—"I cannot recollect now. I must ask for notice if the hon. Member wants a specific answer."

Mr. S. SATYAMURTI :—"May I know if the hon. Member can give the actual monetary value of the concession involved in the assignment of these lands to these two gentlemen ?"

The hon. Sir NORMAN MARJORIBANKS :—"It is very largely a matter of opinion. If there is no means of extracting produce, some people might say it was nothing."

Mr. S. SATYAMURTI :—"What is the opinion of Government ?"

The hon. Sir NORMAN MARJORIBANKS :—"The Government thought that it was rather an advantageous offer from people who were willing to risk their money in opening up a new tract for coffee plantation and that it would prove to be a great benefit to that part of the country if it succeeded. Nobody has hitherto been prepared to risk money—certainly it is a risk—and Government were glad to find anybody to do it."

Mr. S. SATYAMURTI :—"May I know if this grant was made jointly to these two gentlemen or individually ?"

The hon. Sir NORMAN MARJORIBANKS :—"Jointly, Sir."

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[a] Printed as Appendix VI on pages 542-543 infra.

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Mr. S. SATYAMURTI :—" May I know, with reference to the answer to clause (*a*) of the question, whether in view of the fact that both these gentlemen are politicians of high reputation and influence in this province and one of them occupies a high and responsible office, the Government considered that aspect of the question before they came to a decision on this matter, especially when their action is liable to be misconstrued as placing them in an awkward position ? "

The hon. Sir NORMAN MARJORIBANKS :—" Certainly, Sir. I think it shows public spirit on the part of these gentlemen to risk their money."

Mr. K. R. KARANT :—" With reference to the answer to item (5) in clause (*b*) of the question, may I know whether these applications were made before November 1926 or after that ? "

The hon. Sir NORMAN MARJORIBANKS :—" Somewhere in the beginning of 1927 as far as I recollect."

Mr. S. SATYAMURTI :—" May I know whether, if similar offers are made by other gentlemen, the Government would consider the matter equally sympathetically ? "

The hon. Sir NORMAN MARJORIBANKS :—" They would be delighted, Sir."

Mr. K. R. KARANT :—" May I ask, Sir, why when the Board of Revenue
12 noon. passed their orders on the 5th December 1927, the Government order was delayed till 10th May 1928 ? "

The hon. Sir NORMAN MARJORIBANKS :—" As I already explained, Sir, this is the first application for opening a plantation in these areas, and the usual procedure of the Secretariat was followed ; precedents were looked up as to what had been done when such applications were first received from the Nilgiris, Shevaroys and the Anaimalais, and the study of all these matters took some time."

Land Revenue

Removal of prickly-pears from lake bunds in ryotwari villages.

*602 Q.—Mr. C. N. MUTHURANGA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that the ryots are charged for removing prickly-pears from lake bunds in ryotwari villages ;

(*b*) under what authority is this being done and has the Government ever consulted legal opinion as to the validity of charging ryots for removing prickly-pears ;

(*c*) whether the Government have any records to indicate what customs have been prevailing in each village with regard to kudimaramat ;

(*d*) whether it is a fact that in several villages the removal of prickly-pears from tank bunds by the ryots has never been a custom ; and

(*e*) whether the Government will consider the advisability of instructing the District Officers not to charge the villagers for removing prickly-pears ; and if necessary of amending Act I of 1858 suitably ?

A.—(*a*) Wherever by local custom, the work of removing prickly-pear from bunds of irrigation tanks is usually executed by the joint labour of the village community and when any ryot neglects or refuses without reasonable cause to comply with an official requisition for such customary labour, the ryot concerned can be called on to pay his share of the cost.

(*b*) Under section 6 of Madras Act I of 1858. It is entirely a question of fact whether the local custom does or does not exist; and so no point for legal opinion arises.

(*c*) There is a paragraph in the descriptive memoir of the settlement registers of most districts detailing the works which the ryots have to attend to according to local custom.

(*d*) The Government have no specific information to that effect.

(*e*) The question of amending the Act is under consideration.

Landlord and Tenant

Settlement operations in Parlakimedi estate.

* 603 *Q.*—Sriman BISWANATH DAS Mahasayo: With reference to the reply given to the question No. 209 answered on the 6th September 1928 will the hon. the Member for Revenue be pleased to state—

(*a*) whether the Government have arrived at a decision on the question;

(*b*) if not, whether the Government will consider the desirability of directing the Assistant Settlement Officer, Ganjam, not to proceed further with the settlement operations in Parlakimedi estate till the Government arrive at a decision; and

(*c*) the reasons why settlement operations in Parlakimedi estate were given preference even though such operations for villages in the Tekkali, Nandigam, Khallikote, Attagada and Dharakote estates were sanctioned earlier?

A.—(*a*) & (*b*) Government have not yet arrived at a decision. They are awaiting a report from the Collector.

(*c*) No preference was given to settlement work in the Parlakimedi estate. The same officer was appointed to work in all the estates mentioned and took charge on the 23rd February last.

Minor Irrigation

Inclusion of the 'Kilanur madugu' in Tiruvellore taluk in the Imperial list.

* 604 *Q.*—Mr. P. BHAKTAVATSULU NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether it is a fact that Public Works Department Imperial list tank No. 466 of Tiruvellore taluk, Chingleput district, known as "Kilanur madugu" alias "Vishnuvakam madugu thangal," tank No. 2 of Karikalavakam tank group of the Red Hills Minor Basin, actually irrigates 131 acres 99 cents in the village of Karikalavakam, 147 acres 21 cents in the village of Vishnuvakam, 30 acres and 40 cents in the village of Vilapakam, 89 acres and 4 cents in Kilanur and 48 acres and 50 cents in Arumbakam, amounting in all to 447 acres and 23 cents;

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(b) whether it is a fact that before the resettlement of the Tank Restoration Scheme party in their memoirs under the heading details of irrigation, the ayacut area under the source was wrongly given as 3·24 acres instead of 324 acres;

(c) whether it is due to this clerical mistake that has crept into the printed memoirs that this tank is treated as a minor source and kept under the Revenue department for its repairs, although the actual area of the tank is about 3 square miles; and

(d) whether the Government will be pleased to transfer this Issa tank to the Public Works Department classifying the same as an imperial one, as it actually irrigates about 450 acres yielding a revenue of more than Rs. 2,000?

A.—(a) Kilanur Maduvu is in charge of the Public Works Department and has according to the resettlement register prepared in fasli 1320 a registered ayacut of 429·95 acres in Kilanur village only. It is not identical with the Vishnuvakkam Maduvu Tangal, which is a minor irrigation tank in charge of the Revenue Department.

According to the resettlement register, the registered ayacut of the Vishnuvakkam Maduvu Tangal is 284·14 acres as detailed below.

Village.	Extent in acres.	Assessment. RS.	A.
Karikalavakkam	131·99	482	1
Vishnuvakkam	121·75	624	4
Vilapakkam	30·40	159	0
Total ...	284·14	1,265	5

No lands in Kilanur or Arambakkam village are irrigated by this tank.

(b) & (c) The Government are not aware that the facts are as stated.

(d) The question of the transfer of the tank to the Public Works Department is under correspondence between the Collector and the Executive Engineer, Chingleput.

Water rate

Diminishing of gingelly crop area in East and West Godavari owing to heavy penalties.

* 605 *Q.*—Mr. C. RAMASOMAYAJULU: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that gingelly crop area in the East and West Godavari has been diminishing gradually during the last four years and whether the same is due to the heavy penalty rate levied for closed channel irrigation unlike garlic and chillies for which only single water rate is charged; and

(b) whether the Government intend to modify the rules making the levy uniform?

A.—(*a*) & (*b*) The gingelly crop area in East and West Godavari was above the average in faslis 1333, 1334 and 1335. There was a fall in fasli 1336. The Government understand that this was due, not to special rates for irregular irrigation, for such rates do not vary with the crops, but to an extension of groundnut cultivation. The area under groundnut increased from a normal of 600 acres to 5,181 acres in fasli 1336.

Books and Publications

Alleged search of the Bharathi Pracharalaya by the Police on 19th September 1928.

* 606 *Q.*—Mr. C. N. MUTHURANGA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the Bharathi Pracharalaya of Triplicane was searched by the City Police on the 19th September 1928, and that the entire stock of Subrahmanya Bharathi's poems, volumes 1 and 2, were seized and taken over;

(*b*) whether the Government have decided to proscribe Subrahmanya Bharathi's poems, volumes 1 and 2;

(*c*) if the answer to (*b*) be in the affirmative, the grounds for the decision of the Government;

(*d*) the circumstances under which the Government have taken the action against Subrahmanya Bharathi's poems at this moment, while they have been tolerated by the Government since their publication;

(*e*) whether the Government are aware of the deep resentment of the people of Tamil Nadu at the action taken by the Government against Subramania Bharathi's poems;

(*f*) whether it is the object of the Government to put an end to national aspirations in Tamil Nadu by proscribing the poems of Subrahmanya Bharathi; and

(*g*) whether the Government are aware that the late Mr. Subrahmanya Bharathi is revered by the whole of the Tamil Nadu as a great patriot and poet?

A.—(*a*) Yes, on the 20th September.
(*b*) No.
(*c*) Does not arise.
(*d*) The Government took no action.
(*e*) This Government have taken no action against these poems.
(*f*) The Government are unaware that such would be the consequences of proscription.
(*g*) Government have no information.

Civil Justice

Vacancies in the Madras High Court Bench.

* 607 *Q.*—Mr. BASHEER AHMAD SAYEED: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that two vacancies are going to occur in the Madras High Court Bench shortly, and if so, the dates when the vacancies will arise and the nature of the vacancies;

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(b) whether the local Government have submitted recommendations to fill up the vacancies ; and

(c) whether the Government have recommended or propose to recommend any Muslim for at least one of the said judgeships ?

A.—(a) One temporary judge and one permanent judge of the High Court attain 60 years of age on 16th November 1928 and 18th December 1928 respectively.

(b) The local Government make no recommendations for filling up vacancies among permanent judges or temporary additional judges of the High Court.

(c) The question does not arise.

Mr. W. O. Newsam's service as District Judge in Ganjam.

* 608 Q.—Mr. B. RAMACHANDRA REDDI : Will the hon. the Law Member be pleased to state—

(a) for how long Mr. W. O. Newsam has been acting as District Judge in Ganjam ; and

(b) his service, and experience in all as acting District Judge ?

A —The hon. Member is referred to the History of Services of Gazetted and other officers in the Civil Department. A copy of the publication is available in the Council Library.

Religious and Charitable Endowments

Alleged withholding of tasdiks to certain temples in South Kanara.

* 609 Q.—Mr. K. R. KARANT : Will the hon. the Minister for Education and Local Self-Government be pleased to state —

(a) whether it is a fact that in the case of temples in South Kanara with incomes of less than Rs. 250 per annum and in which the trusteeships are vacant the tasdiks payable to them have been held up ;

(b) if so, for what reasons, and how long the Government propose to follow that course and whether the Government have given any instructions as to how the viniyogas in such institutions are to be carried on till the tasdiks are restored to them ; and

(c) whether such temples are still governed by the old committees which have been abolished ?

A —(a) & (b) The information has been called for.

(c) No. Under section 4 of the Hindu Religious Endowments Act, 1926, the provisions of the Act do not apply to temples the average annual gross income of which, including income from endowments connected therewith for a period of five years immediately preceding the commencement of the Act, was less than Rs. 250 each. The temples in question are not therefore under any temple committee at present. The question of placing them under the control of the two new temple committees formed in the district is under consideration.

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Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" With your permission, Mr. President, I should like to bring to your notice one point which I think is a matter of importance to non-official members. During the time of questions and answers, the hon. the Minister for Education replying to a question asked by an hon. Member of this House said 'if the hon. Member would apply his mind to it, the reasons would be obvious', or something to that effect. It is due to the hon. Members of this House when they ask questions that the Government should give reasons as far as possible. We can consider it quite reasonable if the Government ask for notice, but when obviously they can give the answer or information, it is due to this House that they should give the answer. In these circumstances I would request you, Sir, to protect the interests of the House."

The hon. the PRESIDENT :—" Will the hon. Member state the question and answer he refers to ?"

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" In reply to one of the questions the hon. the Education Minister asked the questioning member to apply his mind and stated that the reasons would be obvious. I think it is due to this House that hon. Members of the Treasury Bench should show greater courtesy and give reasons wherever they can, if asked."

The hon. Dr. P. SUBBARAYAN :—" If I could remember aright, the question was as to why a depressed class man had not been nominated to a temple committee under the Hindu Religious Endowments Act; and I thought naturally, as all hon. Members are aware of the social customs in these matters, that it would not serve the interests of the public if I were to mention publicly the reasons. When hon. Members asked the question, I thought it was in the interests of the public themselves not to say it publicly."

The hon. the PRESIDENT :—" I do not think the hon. the Minister intended anything against the capacity of hon. Members to understand things."

The hon. Dr. P. SUBBARAYAN :—" No, Sir."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

VOTING BY LOBBIES.

Mr. SAMI VENKATACHALAM CHETTI :—" May I make a request, Sir? Last year about the time of the budget discussion as soon as the arrangements for the lobby system were completed, you enquired of the Members of this House whether the division might hereafter be taken under the lobby system. I remember that, so far as the budget discussion then was concerned, you decided that you might defer taking votes by means of the lobby arrangement and that later on we could consider the proposal. Now, Sir, I beg to submit that hereafter, that is from the next meeting, votes may be taken by dividing the House into lobbies."

* The hon. the PRESIDENT :—" I think the Leader of the House will consider the matter and state his views. I should like to hear after lunch interval from the leaders of parties as to their wishes regarding the question of going into lobbies."

III

COMMUNICATION TO THE COUNCIL.

The Secretary then laid on the table, with reference to the answer given to question No. 1185 at the meeting of the Legislative Council held on the 5th November 1927, copies of the statement [a] received from the Collector of South Kanara showing the area of certain villages, the extent under cultivation and the extent available for grazing purposes, together with the explanatory note of the Revenue Department.

IV

THE ANNAMALAI UNIVERSITY BILL.

The House then resumed consideration of the Annamalai University Bill.

No amendments having been moved under clause 16, the clause was put, passed and added to the Bill.

Clause 17.

*The hon. Dr. P. SUBBARAYAN :—" Mr. President, I move that for items (1) and (2) in class II the following may be substituted :—

'(1) *Ten members of whom not less than five shall be teachers other than Professors and Readers, elected by such teachers.*

'(2) *Five members elected by the Senate from among its members, provided that no one who is already a member of the Academic Council shall be eligible for election under this item* '."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 17, as amended, was then put, passed and added to the Bill.

Clause 18 was also put, passed and added to the Bill.

Clause 19.

* Mr. J. A. SALDANHA :—" Sir, I move that in sub-clause (1) after the word '*science*' the word '*technology*' be inserted.

" This is a subject, Sir, on which much need not be said because a large number of hon. Members of this House have given expression to the opinion that what is needed very much now in this Presidency is the development of industries and therefore the necessity is for technical education. Technical education, Sir, has been very much neglected in this Presidency. For any higher technical education we have to send our boys to Bombay. Even in Bombay from boys who have gone there we know that the Victoria Technical Institute is not of a very high class. After all, in England or Germany or Japan, this institution in Bombay would be considered a third rate one. There is no chance of such an institution being started in Madras; our Madras University seems to have all along adopted a policy of neglecting scientific and technical education. And the pity of it is we have got friends like the representative of the University, my hon. Friend Mr. Satyamurti, discounting its importance. The bias of our leaders in the University is

a Printed as Appendix VII at pages 544–545 infra.

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towards humanities and almost exclusively humanities. It is most necessary that we should direct our attention to this neglect of technical education, and I am glad to note that the Select Committee in spite of the indifference of some of the members has agreed to include technology as one of the objects of study in the university. Now, what is the use of mentioning this object in the purposes of the university, if no steps are taken for having a faculty of technology. If we say there should be a technological faculty, a technological school should be started at least on a modest scale. They can go step by step and raise it to a first-class institute. Technical institutions are more necessary especially in South India, where there are already a large number of colleges wherein education in humanities, literature, Sanskrit and other languages is being imparted. I may point out, Sir, that mere studies in language in a university cannot improve the literature. Can we maintain that by a study of English in our universities the English literature will be improved in any way? It is the authors and poets in the English language that have improved the English literature. I doubt very much whether by the cultivation of Tamil or Sanskrit, the literature in those languages will be very much improved or extended. The literature of a country must come from the authors and poets of the people. I do not discard or underrate the value of humanities. I am very much for the study of humanities, but at the same time, side by side with it, I think it would be to the interests of our people, the masses, if technical education is attended to at once. I therefore propose that a faculty of technology should be started at once in the new University. We are very proud and we appreciate with the greatest feelings of pride that Sir Annamalai Chettiyar has come forward with this princely endowment. He has followed the example of merchants and others in Bombay and Bengal and other Presidencies, and has set an example for zamindars and capitalists and merchant princes to come forward with further benefactions. I am sure that it will not stop with this endowment alone but other endowments from others will be forthcoming hereafter.

"In Bombay we have institutions of this sort. Sir Victor Sassoon 12-15 p.m. began with an endowment for science. Another man came forward with building and so on. Originally there were ten lakhs and now there are more than thirty lakhs. Therefore, if a start is made and if we have a school for technology in one particular subject, other endowments will be forthcoming not only from the members of the family of the Founder but from others also. I am sure that once the faculty of technology is established, there will be funds forthcoming and a very good beginning will be made to put to shame our own university and that is what is wanted in the interests of the industrial development of this Presidency. I would point out, Sir, that I was not surprised when the Finance Member stood up yesterday at the remarks of the hon. Member for the University. I have never known our Finance Member being partial towards the development of the industries of this Presidency. You have got Calicut, Mangalore and Bellary where the late Minister Mr. Ranganatha Mudaliyar promised to open industrial schools but which could not be opened because the Finance Member finds no funds. There is lack of sympathy on the part of the Government. It is very discreditable that our Ministers do not stand up and see that the industrial schools are started. The hon. the Finance Member stood up with glee at the statement of the hon. Member for the University because of his want of

interest in industries. I am sure the founders of the university will provide the necessary funds, and, if not, others will come forward to endow this university, and Government therefore must give the necessary aid and support."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" I have very great pleasure in seconding this amendment and I appeal to Government to accept this so that we may have a unanimous vote. This is a very mild amendment considering the amendment I had given notice of. Government can have no excuse to be against this in view of the fact that it is in a general way that the provision is made. The clause itself gives room for the Senate to make the necessary safeguards by their rule-making power. So far as this Government is concerned, we know that they have been sending every year four or five students to Bombay because we have no technological institute here. They do the same thing in the case of the Tata Institute at Bangalore. Both sides of the House were using the name of the Founder as having any views regarding an amendment of mine yesterday. Mr. Venkatapathi Raju in supporting the Government referred to him and Mr. Arogyaswami Mudaliyar in his speech had to refer to him also. The Founder as a matter of fact is perfectly willing to accept any amendment that may be made in this House. He has handed unconditionally over to Government promissory notes of the face value of about 22 lakhs, and no one else would be willing to do it. Even, if I am so rich, I won't give so much money unconditionally. This gentleman is so kind that he has left the whole thing to the Government and to the Council and they can make any amendment if they like at any time, now or later on. He has placed the whole thing at the disposal of the Government relying on their wisdom. It is very fortunate that the European members supported me yesterday. I am sure the hon. Minister will consider the matter and kindly accept this so that it will facilitate the passing of the Bill more unanimously."

* The hon. Dr. P. SUBBARAYAN :—" I am sorry that Mr. Venkataramana Ayyangar while saying that the name of the Founder should not be made use of, he himself almost went near doing it. I do not think I am guilty of the charge. As my hon. Friend pointed out, the Founder has placed the money at the disposal of the Government for the purpose of this new university. It is irrelevant to discuss whether the Founder would like a particular amendment or not. It is purely for the Council to say what kind of university they would like to have and what subjects ought to be taught. With regard to this amendment, I do not think there will be any harm because it is already provided for in clause 3. Though I personally think no purpose will be served, since hon. Members seem to lay so much stress in having it on paper rather than the practice of it, I have no objection to accept this."

* Mr. G. HARISARVOTTAMA RAO :—" I am very sorry for the sentiment expressed by the hon. the Chief Minister. He is prepared to accept that a faculty of technology be started and yet he tells us that he proceeds on the assumption that it is a paper provision. I am afraid, Sir, that this House will have to consider this Bill in a serious light, if that is the way in which he is going to deal with this clause. The House is serious that technology should be provided for, and the amendment proposes that there should be a faculty of technology. If the Chief Minister should accept this merely to

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rush the Bill through, it appears to me that it is not proper. If he does, he will have to face opposition enough to make him realize that he must respect the wishes of this House in the matter of this particular question."

The amendment was put and carried.

Clause 19, as amended, was put, passed and added to the Bill.

Clause 20.

Clause 20 was put, passed and added to the Bill.

Clause 21.

The hon. Dr. P. Subbarayan :—" I move—

'*In item* (4) *of Class II—Other Members—of clause* 21 *of the Bill* for *the word* "*place*" *where it first occurs* substitute *the word* "*office*" *and where it occurs for the second time* substitute *the word* "*vacancy*".'

" This is merely a verbal amendment."

The hon. Mr. S. Muthiah Mudaliyar :—" I second it."

The amendment was put and carried.

Clause 21, as amended, was put, passed and added to the Bill.

Clause 22.

Clause 22 was put, passed and added to the Bill.

Clause 23.

* The hon. Dr. P. Subbarayan :—" I move—

For clause 23 of the Bill *substitute* the following :—

'23. *The Finance Committee shall consist of the following persons, namely* :—

(1) *The Secretary to the Government of Madras in charge of Finance.*

(2) *The Founder and, in case the office is vacant, any person nominated by the Chancellor to do the duties of the Founder under this section during the continuance of the vacancy.*

(3) *The Vice-Chancellor.*

(4) *One member elected by the Senate from among its members, provided that no one who is already a member of the Syndicate shall be eligible for election under this clause.*'

" I am not in any way trying to go behind the decision of the Select Committee to have this Committee only for ten years. I am providing under another amendment that this Finance Committee is to exist only for ten years. To make it more complete I am suggesting this amendment. I hope hon. Members will have no objection."

The hon. Mr. S. Muthiah Mudaliyar :—" I second it."

The amendment was put and carried, and the clause was added to the Bill.

Clause 24.

Clause 24 was put, passed and added to the Bill.

Clause 25.

12-30 p.m. The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'*That for the existing clause 25, the following be substituted :—*

25 (1) *The Board of Selection shall consist of the following persons, namely :—*

(*a*) *One member nominated by the Chancellor ;*

(*b*) *The Founder and in case the office is vacant any person nominated by the Chancellor to do the duty of the Founder under this section during the continuance of the vacancy ;*

(*c*) *The Vice-Chancellor ;*

(*d*) *One member elected by the Syndicate from among its members ; and*

(*e*) *One member elected by the Senate from among its members ; and*

(2) *The Board of Selection shall have the power to appoint the teachers and the Registrar of the University.*'

"I move this amendment, because this is more complete."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried, and the amended clause was added to the Bill.

Clauses 26, 27 and 28 were then successively put, passed and added to the Bill.

Clause 29.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'*In item (e), after the word " Vice-Chancellor " insert the words " and the Registrar ".*'

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move another amendment to this clause, which is necessary, and I gave notice of it to the Secretary. That is—

'*In item (j), to insert the words " the Founder " between the words " the Chancellor " and " the Pro-Chancellor ".*'

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

The clause as amended was then put, passed and added to the Bill.

Clause 30 was then put, passed and added to the Bill.

Clause 31.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'*In item (c), for the word and figure " section 8 ", substitute the word and figure " section 7 ".*

" Hon. Members are aware that clause 7 of the original Bill was omitted by the Select Committee, and what was clause 8 then has now become clause 7. To make this correction, I propose this amendment."

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'*In item (f), for the words " colleges and hostels " substitute the words " hostels and lodgings ".*'

" That again is an amendment consequential on the amendment we arrived at with regard to the proposal made by Mr. Satyamurti."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* Mr. S. SATYAMURTI :—" Sir, this amendment will create some difficulty. I do not know, if you omit the word ' colleges ' from this sub-section altogether, we shall have power, in the regulations, for prescribing conditions subject to which persons may be recognized as qualified to give instruction in colleges. I think the only amendment consequential on the House accepting my amendment with regard to an earlier clause will be an amendment which will say ' colleges, hostels and lodgings not maintained by the University '. The result of the amendment of the hon. Minister will be, as far as I can make out,—I speak subject to correction—that there will be no provision in the Act by which the regulations of the Academic Council can prescribe conditions subject to which persons may become qualified to give instruction in colleges. I think I am right. If so, the hon. the Minister may be permitted to withdraw his amendment, and I may have your leave to move my amendment. In the meantime, I shall hand you a copy of my amendment."

The hon. the PRESIDENT :—" The hon. Member will have full liberty to do so with the leave of the House."

* The hon. Dr. P. SUBBARAYAN :—" I think my hon. Friend is right and I therefore beg leave of the House to withdraw my amendment."

The amendment was by leave withdrawn.

* Mr. S. SATYAMURTI :—" I move—

'*In item (f), for the words " colleges and hostels ", the words " colleges, hostels and lodgings " be substituted*'."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I second it."

The amendment was put and carried.

The clause as amended was then put, passed and added to the Bill.

Clause 32.

* The hon. Dr. P. SUBBARAYAN :—" I beg to move—

'*In the second paragraph, for the words " at its next meeting or a subsequent meeting ", substitute the words " at its next meeting or at any other meeting to which it may adjourn the consideration thereof ".*'

" The difficulty is this : if the amendment made by the Select Committee is adopted, it may be that the Senate may postpone the thing to any other subsequent meeting. To avoid that difficulty, if we give power to the Senate to adjourn this business if they do not have the time to get through it at the next meeting, I think it will be more easy to carry out the object hon. Members have in mind."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

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* Mr. C. V. Venkataramana Ayyangar :—" I am afraid the object with which it was so amended in the Select Committee does not seem to have been considered by my friends. Supposing this subject comes to the notice of the Syndicate and they bring it to the Senate without giving the necessary time for notice, then it cannot be brought at the next meeting. The present amendment contemplates the possibility of every such subject being brought at the next meeting. It may not be possible to bring such subjects at the next meeting itself for want of time. It is to provide for that the Select Committee suggested this change, i.e., 'at its next meeting or a subsequent meeting'. Otherwise, there will be difficulty in the way of the Syndicate and the Vice-Chancellor on account of the rule of proper notice if they have not sufficient time before them to bring forward the subject at the next meeting. I will, therefore, suggest that the original wording as made by the Select Committee be accepted, and I do not think this amendment is necessary."

* Diwan Bahadur K. Ramunni Menon :—" I think the wording of the amendment of which notice has been given is sufficiently clear. These matters will come up at a Senate meeting after the regulation has been passed, and either at that meeting or at any subsequent meeting to which the matter may be adjourned by the Senate the subject may be considered, and it seems to me that the amendment is perfectly right. Judging from the experience which we have gained in our University, I do not think there will be any difficulty in practice. So I suggest that this amendment may be accepted."

* Mr. S. Satyamurti :—" I also am in agreement with my hon. Friend the Vice-Chancellor of the University of Madras. There is no possibility of any regulation not coming before the next meeting for this simple reason : the section as it stands is, 'every regulation so made shall be submitted as soon as may be to the Senate who shall consider it at its next meeting'. The next meeting means after such submission to the Senate. Therefore, there is no possibility of any regulation not coming before the next meeting of the Senate. The next meeting for that purpose will be the meeting of the Senate after the regulation can be brought to their notice. That is the only way of doing it in other universities, and that is by inclusion in the agenda of the particular meeting of the Senate. Whether you like it or not, the regulation will be in the agenda for the next meeting. The amendment provides against the possibility of there being no time at that meeting or any other contingency under which the Senate may not be able to dispose of the matter at that very meeting. But it will have an opportunity, under this amendment of the hon. Minister to say, 'We adjourn consideration of this regulation to a subsequent meeting', and then the regulation will come up for consideration there. I think the amendment accurately covers all the requirements of the case."

The amendment was put and carried.

Clause 32 as amended was then put, passed and added to the Bill.

Clause 33.

* The hon. Dr. P. Subbarayan :—" I beg to move—

'(*i*) *In sub-clause* (3), *omit the words " or if he goes on leave for a period of not le s than six months " ; and*

'(ii) *add the following explanation at the end :—*

'*Explanation.—Any person nominated or elected as aforesaid shall, for the purpose of this sub-section, cease to be a member of the body or the holder of the appointment as the case may be with effect from the date on which he goes on leave if the period of leave is more than six months.*'

"The same object as is wanted by the Select Committee is achieved by this amendment. The amendment makes it more clear."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I beg leave to move the following amendment, viz. :— 12-45 p.m.

'*Substitute the word "Proviso" for the first "explanation" and substitute the words "provided that" for the next "explanation".*'"

Mr. G. HARISARVOTTAMA RAO :—"I second it."

* Mr. S. SATYAMURTI :—"Sometimes, second thoughts are better, but not always. I should like to know what is wrong with this clause as it stands, and why this explanation or proviso is necessary, and whether it makes sense. The 'explanation' says 'Any person nominated or elected . . . . shall for the purpose of this sub-section cease to be a member of the body', etc. I ask, does he continue for any other purpose? I want to know why these words are put in, viz., 'for the purpose of this sub-section', unless the implication is while they may cease to be members for the purposes of this sub-section, they may continue for any other purpose.

"Then the amendment says 'cease to be a member of the body. . . . with effect from the date on which he goes on leave if the period of leave is more than six months'. Now look at the wording of the section as it stands: 'Any person nominated or elected in his capacity as a member of a particular body or the holder of a particular appointment shall if he ceases to be a member of that body or the holder of that appointment (there must be a comma here) as the case may be, for a period of more than three months or if he goes on leave for a period of not more than six months, (there must be a comma here also) cease to be a member of the authority or the body of the University concerned.' I do not know what is obscure in this sub-section, which is sought to be made clear by this proviso. As I have pointed out, the provision makes it obscure by introducing unnecessary words and by suggesting that the cessation of membership is merely for a particular purpose, whereas according to the scheme of the Act the membership ceases for all purposes. Therefore, there is no need for this amendment."

Mr. K. RAMUNNI MENON :—"The sub-section in the Bill as it stands is much more correct than the amendment. I suggest that the amendment may be withdrawn."

* The hon. Dr. P. SUBBARAYAN :—"My one difficulty is the House is seised of the amendment."

* The hon. the PRESIDENT :—"It is only the amended amendment that is before the House."

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* The hon. Dr. P. SUBBARAYAN :—"In view of what Mr. Ramunni Menon has said, I beg leave to withdraw the amendment and let the clause stand as it is."

The amendment was by leave of the House withdrawn.

Clause 33 was put, passed and added to the Bill.

Clause 34 was also put, passed and added to the Bill.

Clause 35.

* The hon. Dr. P. SUBBARAYAN :—"I move :—

for the words "if at the date of election or nomination" substitute the words "if at the time of election, nomination or appointment".'

"This is only a verbal amendment and may be accepted by the House."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

Clause 35 as amended was put, passed and added to the Bill.

Clause 36.

* The hon. Dr. P. SUBBARAYAN :—"I move—

'for the word and figure "section 9" in sub-clause (1), substitute the word and figure 'section 8".'

"I have omitted the words 'sub-section (*a*) of' from my amendment as appearing in the agenda."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

* Mr. S. SATYAMURTI :—"I move—

In line 4 *for* the figures "4, 5 and 6" in sub-clause (1), substitute the figures "5, 6 and 7".'

"Sir, this is a mere consequential amendment. To the officers described in section 8, a new officer is added, namely, the Founder. Therefore this amendment is necessary."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I second it."

The amendment was carried.

Clause 36 as amended was put, passed and added to the Bill.

Clause 37 was also put, passed and added to the Bill.

Clause 38.

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'Omit the words "not exceeding one-fifth of their total number" and add the following proviso at the end :—

"provided that the number of persons so included in any committee shall not exceed one-fifth of the total of that committee".'

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

The amendment was put and carried.

Clause 38 as amended was put, passed and added to the Bill.

Clauses 39 and 40 were successively put, passed and added to the Bill.

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Clause 41.

* The hon. Dr. P. SUBBARAYAN :—

"*For the word 'twenty' in sub-clause (ii) (b) substitute the word 'twenty-seven'.*

"Sir, this amendment is moved with the permission of His Excellency the Governor."

* The hon. the PRESIDENT :—"The hon. Member has not sent the sanction of His Excellency to the office."

* The hon. Dr. P. SUBBARAYAN :—"I will send it. I have not got it here at present. I move for the adjournment of the House till after lunch."

The hon. Mr. S. MUTHIAH MUDALIYAR :—"I second it."

This was carried.

The House adjourned at 12-55 p.m. for lunch.

After Lunch (3 p.m.)

* The hon. Dr. P. SUBBARAYAN :—"Mr. President, before I move the amendment standing against my name, I want to express my regret to you for not having already supplied your office with the communication of His Excellency the Governor giving sanction under section 80-C of the Government of India Act.

"Sir, I move—

'*that in clause 41, sub-clause (ii) (b), the word 'twenty-seven' be substituted for the word 'twenty'.*'"

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—"I second it."

The amendment was put and carried.

Clause 41, as amended, was then put, passed and added to the Bill.

Clause 42 was put, passed and added to the Bill.

Clause 43.

* The hon. Dr. P. SUBBARAYAN :—"Sir, I move—

'*that for clause 43 of the Bill the following shall be substituted :—*

43. *The Local Government—*

(1) *shall contribute to the General Fund annually a sum of one and a half lakhs of rupees, and*

(2) *subject to such conditions as may be agreed upon between them and the University*

(a) *shall give for the buildings and equipment of the University a sum of seven and a half lakhs of rupees and*

(b) *may contribute, from time to time, such further sums as they deem fit to contribute to the said Fund or towards such buildings or equipment.*'

"Mr. President, this is a slight change made in the Bill after it emerged from the Select Committee. An additional clause has now been added regarding the contribution of seven and a half lakhs of rupees to be granted by the Government for the building and equipment of this new University. I am moving this because when the Government gives a grant for buildings, they ought to have a right to get plans and estimates examined by their Public Works Department and sanctioned by them. Besides, if there is no condition attached, it may be that the Government will have to pay seven

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and a half lakhs immediately. That was not the intention of the Government when it was introduced. The intention was to pay this $7\frac{1}{2}$ lakhs from time to time as buildings are ready whereas the other sum of 27 lakhs was intended to be paid unconditionally. Under the circumstances, I hope the House will accept the amendment."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I second it."

* Mr. G. HARISARVOTTAMA RAO :—" Mr. President, I rise to ask for some information. Yesterday on the floor of the House the hon. the Chief Minister told us that the endowment consisted of 20 lakhs of rupees in cash and some other properties and added that the properties were worth 12 lakhs including the contribution that the Government have made towards the buildings. Am I to understand that these $7\frac{1}{2}$ lakhs spoken of in sub-clause 2 (*a*) are exclusive of the amount hitherto contributed by the Government ? "

* The hon. Dr. P. SUBBARAYAN :—" This sum which is now being provided for under the Act is different from the sum that has already been granted under the Grant-in-Aid Code to the Sri Meenakshi College, Chidambaram."

Mr. G. HARISARVOTTAMA RAO :—" What is the previous sum ? "

* The hon. Dr. P. SUBBARAYAN :—" The previous sum was about five lakhs of rupees given under the Grant-in-Aid Code."

The amendment was put and carried.

Clause 43, as amended, was then put, passed and added to the Bill.

Clause 44 was also put, passed and added to the Bill.

Clause 45.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

' *for sub-clause* (2) *of clause* 45 *substitute the following* :—

' (2) *At any time after the passing of this Act and until such time as the authorities of the University shall have been duly constituted, the Registrar and the teachers of the University shall be appointed by the Chancellor after considering the recommendations of a committee consisting of the Pro-Chancellor, the Vice-Chancellor and such other person or persons, if any, as the Chancellor thinks fit to associate with them ; and* '

" Sir, this is merely a transitory provision for carrying on the work of the University till the various bodies of the University come into being. I hope hon. Members will accept it."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried and the amendment was made.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move—

' *that after sub-clause* (4), *the following sub-clause shall be inserted* :—

' (5) *The salary if any of the first Vice-Chancellor shall be fixed by the Chancellor.* '

" This again is a transitory provision to get over the time when the University bodies are not working."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The amendment was put and carried.

Clause 45, as amended, was then put, passed and added to the Bill.

Clause 46 was put, passed and added to the Bill.

New Clause 47.

* The hon. Dr. P. SUBBARAYAN :—" Sir, I move

'*After clause 46 of the Bill insert the following as clause 47 :—*

" 47. *This section, item (6) of section 14, and sections 23 and 24 shall cease to be part of this Act on the termination of ten years from the date on which section 23 comes into force.*" '

" Mr. President, as I said when I moved section 23, the Bill provides a separate place for the Finance Committee going out of existence after 10 years. This is the effect of this clause. I hope the House will have no objection to this."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried and the new clause was added to the Bill.

The hon. the PRESIDENT :—" The question is : Schedule A shall stand part of the Bill."

The motion was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" Sir, with the leave of the House I move to

'*substitute the word " Schedule " for " Schedule A " wherever it occurs*'."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

The motion was put and carried.

The hon. the PRESIDENT :—" The question is that the Preamble shall stand part of the Bill."

The motion was put and carried.

* The hon. Dr. P. SUBBARAYAN :—" I now move that the Bill be passed into law. In doing so I would like to say a few words. Hon. Members may think that this legislation has been hurried through. As a matter of fact, the Select Committee considered this legislation thoroughly and most of the amendments I have moved are merely verbal amendments and not amendments of a substantial nature. Under the circumstances I hope hon. Members will not object to the third reading being taken at this stage."

* Mr. S. SATYAMURTI :—" Sir, I have great pleasure in seconding the motion of the hon. Minister for Education that this Bill be passed into law. 3-15 p.m. It is a proud moment when this Council gives its final assent to this piece of legislation which will create, in as early a time as possible, a University, the first of its kind in South India. (A Voice : Whole India). No, it is not the whole of India. There are residential Universities at Benares and Aligarh and at Decca and other Universities also. So far as South India is concerned this is the first University of its kind, and I think the Council owes it to itself, and I am sure I am echoing the feeling of the whole House when I say that we feel very proud of the magnificent endowment of the Founder of this University, my friend Diwan Bahadur Sir Annamalai Chettiyar. His endowment comes to 35 or 40 lakhs of rupees and this House has wholeheartedly shown its appreciation of the generosity and philanthropy of the gentleman. I am sure, knowing him as I do, that he will come forward with more money and more endowments to this University. In passing, Sir, I may say that I accept the vote of the House,

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whatever my views may have been, in having insisted upon the inclusion of the faculty of technology at once in this University. I am sure both the Founder and the Government accept the implications of the vote of the House. I, as a loyal Member of the House, want that both the Founder and the Government should implement this vote of the House by finding the necessary money for it. I appeal to those friends of mine who were anxious to include technology in this University, when the Government comes forward with proposals for giving more money to this University for founding a Technological school in this University, to give their hearty support to the Government. May I also appeal to the generosity of the Founder that he should, as I am sure he will, accept the vote of the House and carry it out loyally and generously, hoping that thereby we shall be founding on the banks of the Coleroon at Chidambaram a University which will on the one hand promote the study of the humanities and also on the other hand subserve the modern needs of this country as our friends are anxious that it should?

"Then, Sir, it is not my habit to praise the Government, not because I do not want to praise it but because there have been no occasions for it. (Laughter.) To the best of my knowledge, it has not so far done anything half as generous, and half as graceful as it has done in this matter. We owe a great debt of gratitude to my hon. Friend, the Minister for Education, for having piloted this Bill and for having melted to use my own phrase, the stony heart of the hon. the Finance Member and made him agree to this liberal, and may I say generous, help to the University which we are all anxious should be established very soon. I am glad to see that my hon. Friend, the Finance Member, is not a mere dragon . . . keeping his watch and ward over the treasury of the Madras Government and allowing no inroads to be made upon it, except for certain purposes which may commend themselves to him. I am glad to see he is also a warm educationist who recognizes a good thing when it is offered to him. I am glad further, that the Government have been able to realize the full implications of this generous endowment and have come forward with this liberal help

"So far as the actual composition of the University bodies is concerned, although there were some warm debates yesterday I may congratulate the new University on having got, as a result of the vote of this House, bodies in whose wisdom, educational enthusiasm and disinterestedness, we can have full confidence. I believe we have got a representative Senate, a good Academic Council and a Syndicate on which the teaching side of the University will be adequately, if not generously, represented. I think, Sir, that the intimate connexion established between the Founder and the University will inure to the advantage of the University. There was one provision in the Bill which, by the vote of the House, has been rendered innocuous, from the point of view of the friends of the University. That was with regard to the Finance Committee. Thanks to the reasonableness of the Government, the life of the Finance Committee has been limited to a period of ten years. The composition has been altered so as to give no undue representation to any relevant interest. For the first ten years they will be there to guide, advise, and control so that the money may be spent properly with a view to the very best results being achieved. After that, when the University has gained experience it will become an absolutely autonomous one, in all its affairs, financial, as well as academic.

"Then, Sir, I have only one word to say with regard to the future of the University. In South India, a teaching and residential university is an experiment, and the success of the University depends, in the ultimate resort, on the ability of the Founder and the authorities of the University in attracting to the University and retaining there, first-class men in the various subjects which are going to be taught. A Residential University cannot make an appeal to the students, unless those who are in charge of the teaching of the various subjects in the University are first rate men, whose lectures are listened to, not because attendance at them for a number of days is compulsory to entitle them to sit for University examinations, but because, in the opinion of the students themselves, these lectures are worth attending. That is the rule in Oxford, and I hope that those who will have a great deal to do with the Chidambaram University will see to it that no quarter is given to second rate or third rate men and that they will so arrange their recruitment to the teaching staff of the University, that, whether it be Physics, Chemistry, English, Tamil, History, Economics or Technology, if I may say so, they will get the very best men available whose name will shed lustre on the Annamalai University, and will make it *primus inter pares* among the universities of the world. I do want that that aspect should be borne in mind. Finance is alright. But in high educational matters a cheese-paring policy is suicidal. I hope and trust that the authorities of the University will not stint any money in attracting to and retaining in the new University the very best men who will shed lustre on the University.

"Then, Sir, I must say one word about the light references made by certain members to the production of pandits. I have already referred to it in my speech on the second reading. I know, Sir, we have got a large number of graduates which our Universities produce. Some of them are unemployed. I do not think I shall be doing any injustice to these very men, the graduates, when I say that we have not got in our country too many men and women really educated and really cultured. I look up to the Chidambaram University not to produce graduates on the model of the other Universities, but to send forth from its portals, young men and women of whom the country may be proud, really cultured, refined and educated ladies and gentlemen anxious, capable, and willing to take their part in the public life of this country in every sphere and be leaders of men and women. Our Universities, I am convinced, have not yet produced those leaders of men which the public schools of England and the Universities of Oxford and Cambridge send out to govern this far-flung Empire of Great Britain. (Hear, hear.) There is one thing I envy in Great Britain and I want to copy that—the system of education given in Oxford and Cambridge by which their men are able to impress themselves upon others by their very presence. That is a thing to be admired. I am not an admirer of things English, because they are English. But I do feel, Mr. President, that in this matter we have a great deal to learn from those great residential universities. Not that they are entirely new to us, but we have forgotten our past. The ancient Gurukulas of our own country produced men and women who could have held their own easily as against the graduates of Oxford and Cambridge. But, alas, we have lost those great ideals. I am looking forward most hopefully, that in Chidambaram, with this generous endowment, will be reproduced those ancient ideals of the Gurukula, and that we shall create there an atmosphere which will give real education to our men and women

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and send them forth as men and women who will be known as educated, not because of the suffixes to their names as B.A., or M.A., but because of their very presence, person, address, conduct and character. This kind of education I look forward to in Chidambaram. That is why I believe that so far as literary education is concerned, or as it is otherwise known, education in the humanities, Chidambaram will make a notable contribution, unprecedented in the annals of university education in South India. That is all to the good of South India.

" Sir, I have done. I am one of those who believe--I may be optimistic—that very soon, sooner than many of us realize, India will have Swaraj. Whether I am right or wrong, I know that the Annamalai University will play a much greater part in a self-governing India, than it may play to-day. Because, in a free and self-governing India, there will be greater need for robust young men and women who will come with characters shaped, with physique developed, and with their mental and moral outlook trained, to face the storms of life. I have no doubt that the Swaraj Government of the province of Madras and the Swaraj Government of India will look up to Chidambaram as the nursery of their great administrators, statesmen, diplomats, educationists, philoshophers and scientists, even as the Government of the British Empire looks upon Oxford and Cambridge for men and women who will carry out the functions of the Empire throughout the world. I therefore feel, Mr. President, that in giving our blessings to this Bill, we are doing the right thing by our posterity, for which I am sure, they will bless those who have taken any part, however humble, in seeing that this Bill is passed into law.

" I see, Sir, that in the preamble special reference is made to the development of Tamil and Sanskrit studies. I hope and hope sincerely that the Chidambaram University will apply itself earnestly and whole-heartedly to the development of the study of these two great literatures. Tamil literature is a mine which is not yet opened to the people of South India as adequately as it ought to be. Sanskrit is also equally a great heritage of the people of South India. When these two literatures are equally well developed, I hope to see in Chidambaram the synthesis of the Eastern and Western cultures which will shine forth in Chidambaram as an important meeting place of the cultures of the world.

" With these words, Mr. President, as one representing the University of Madras and its graduates, I have great pleasure in wishing God speed to this university and in giving the profound and grateful thanks of this House, to the founder of the university and to the Government for having come forward with such generous grants, and in praying to the Almighty that He may shower His choicest blessings on the future of this university which we all wish to be enduring and great."

The hon. the PRESIDENT :—" The question is that the Bill be passed into law."

* Mr. R. SRINIVASA AYYANGAR :—" Mr. President, Sir, words fail me to express adequately our feelings of gratitude and thankfulness to the hon. Sir Annamalai Chettiyar for his large, princely and magnificent donation which has made the establishment of the university possible. The founder is animated by unselfish and altruistic motives in endowing this university. The value and spontaneity of the gift is enhanced by the liberality with

which it has been made. If the lights lit on the top of the Annamalai Hills at Tiruvannamalai every year during the *Kartikai Deepam* serve to purify the souls of the devotees that go there every year, I have not the slightest doubt that the light of learning that will spread and diffuse from Chidambaram will go a long way in steadying, purifying, chastening and elevating, if I may say so, the moral and intellectual side of those who get into its portals. I feel sure that this university will give a great impetus to the development of Tamil and Sanskrit learning and I have no doubt that this act on the part of Sir Annamalai Chettiyar will be a great incentive to many more Annamalais springing in Kerala and Andhra countries in course of time so that this Presidency may have a net-work of universities of this type. We are thankful to Sir Annamalai Chettiyar's family for diverting a portion of its well-earned wealth to these channels of public utility. If it had been left to his beloved brother and an esteemed friend of mine, the late Diwan Bahadur Ramaswami Chettiyar, to have given water-supply and also a High School for Chidambaram, the coping stone had been supplied and had been furnished by Sir Annamalai Chettiyar; and the University which is in sight will be regarded as the key-stone of the edifice of philanthropy which has been so carefully reared and nurtured. As my hon. Friend, the Member for the University, had put it, may Providence shower on Sir Annamalai Chettiyar His choicest blessings and may his university begin to fulfil its functions and serve as a beacon light for all time to come so long as the sun and the moon last. I have great pleasure in supporting this motion." 3-30 p.m.

*Mr. G. Harisarvottama Rao :—" Mr. President, Sir, I should have certainly objected to the passing of this Bill into law but for the regard that one must have for the great munificence of the donor. Neither the Government nor my hon. Friend, the Member for the University, can claim very great virtue for the law that they are now passing. For one thing the whole law is undemocratic. The constitution that is vouchsafed to this Annamalai University is oligarchic. The Founder, the Chancellor and Vice-Chancellor, between them, share almost the whole power in the constitution of this University. At every stage we have seen how attempts were made to make this university as archaic as possible. There was a great deal of discontent in the House and to allay the discontent, the word 'technology' was put subsequently into this Act; and the hon. the Chief Minister when speaking on this particular motion said in such specific terms that this was a matter which was merely on paper. The hon. Member for the University made a fervent appeal that the Technological faculty should not find a place in this Bill. I do not know whether this object of the Bill will ever be carried out within any measurable distance of time. I have great regard for Sanskrit, English and Tamil. We have already a multiplicity of universities where humanities are encouraged *ad infinitum*. As for funds, funds are forthcoming to this university because the donor has been liberal enough to throw a bait, in the way of the Government, of a sum of Rs. 27 lakhs approximately. The Government cannot claim very well any merit and I do not know why my hon. Friend, the Member for the University, eulogises the Government. The Government have barely done its duty. So I do not think that either the hon. the Chief Minister or the Finance Member deserves any encomiums. They have probably done a fraction of their duty. There are other universities which have been asking for funds; and funds are not

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forthcoming though this Government has had a remission of over $3\frac{1}{2}$ crores of rupees. Education purposes have not been well served by this Government as yet. When they come forward to help a university that is likely to be archaic in its type, it is no recommendation. I should have welcomed a change of heart and feeling and I should have welcomed a university that can take up mostly modern subjects. We are now labouring under the difficulty that we have not got enough of living in this country for our graduates. It is all very well to say that humanities are required for the elevation of the intellect and that humanities will produce both men and women, who will be the best statesmen, the best scientists and all that is best in the world. I admit that there is truth in that argument to a certain extent. However, when we have to consider the value of education we have to take into consideration the needs of the country, the needs of the moment and the supply that already exists. Without considering these questions and without addressing ourselves to the development of a university that would provide for the needs required, if we assist in the formation of a university which is likely to be archaic, it redounds to nobody's credit But I have still a ray of hope even if the university is started now out of regard for the donor who has really given more than what one would have expected in Southern India. There is yet time after experience to amend the Act.

"My hon. Friend talked of Swaraj. I am also as optimistic as he is that we shall be able to force Swaraj out of the hands of the British Government within a reasonable and measurable period of time. If that should happen, we will have sufficient opportunities for amending the Act that has been enacted under particular contingencies at present. I therefore feel that no purpose is served by opposing the passing of this Bill at this stage. I am not opposing the motion; but I am sounding a note of warning that this university should not function on archaic lines. It is up to the Founder, up to the bodies that are going to be set up and up to the Government that has brought forward this university into existence, to see that this university functions in a manner which is serviceable to the country. The first requisite appears to me to be this; that this university should endeavour to carry out the particular branches of learning that this House has been fighting for and has been able to include in the Bill after a great deal of discussion, i.e., Technology explicitly and Commerce by implication. If the university addresses itself to that aspect of the matter, I should feel particularly satisfied for the hurry with which this Act is being passed."

* Mr. V. I. Muniswami Pillai :—" Mr. President, Sir, I rise to support the motion before the House as a representative of the depressed classes. I must welcome most heartily the munificent gift that has been made by the hon. Diwan Bahadur Sir Annamalai Chettiyar and the encouragement given by the Government in bringing a university of this sort into existence. Sir, to those hon. Members of this House who know the history of the depressed classes and the greatness of Sri Nanda who had the opportunity of going to Chidambaram and attaining the spiritual bliss, I have to say that Chidambaram has got a great future before it. Sir, at present the headquarters of the university is to be at Chidambaram which also forms the centre of activity of the depressed classes in southern districts. My hon. Friend, Swami Sahajanandam, who unfortunately happens to be absent to-day has started the Nandanar Kalvi Kazhagam with a Higher Elementary school and a

hostel known as the Moir Hostel at Chidambaram and the fact that the university lies within a distance of a mile from it is a welcome sign of the future happiness for the depressed classes in this district.

"Apart from this, some communities especially the depressed classes who have stood and have been made to stand on the outskirts of Hindu society are to be allowed into this university. Another factor which makes me take this opportunity of speaking on this particular subject is that one of the members of Sri Nandanar Kalvi Kazhagam is to be a member of the Senate. Sir, I was one of those who served on the Select Committee of this University Bill and I think I must say a word of congratulation to the hon. the Chief Minister for so ably piloting the Bill through the Select Committee stage and in this Council. When this Bill becomes an Act and when the university is established, I am sure that liberal scholarships will be given to the depressed classes because the district is economically very poor as far as the depressed classes are concerned."

*Mr. A. Ranganatha Mudaliyar :—"Mr. President, Sir, I do not propose to detain the House for more than a minute or two. I have no doubt that some of those who have already preceded me and many who are to follow me know the Founder more intimately than I do and of the numerous benefactions he has given. But this much I wish to say with your indulgence that my friends and myself on this side of the House wish to associate ourselves most sincerely with the good wishes that have been expressed on the floor of this House and wish this university which has been started under such good auspices a long and very useful career."

* The hon. Mr. T. E. Moir :—"Mr. President, if I were the ideal Finance Member, I suppose there is no doubt that nothing more could be reasonably expected of me than the stony heart to which reference has been made, the front of brass, no bounds of compassion and the cold and calculating eye. But even if that were true of myself I am speaking now on behalf of the official Members who, I may say, confidently do desire to join all the other sections of the House on this occasion in wishing Godspeed to this new university. Even as Finance Member I do not propose to follow one or two previous speakers who addressed appeals to the Founder of this university to show even greater generosity towards it. But there is one appeal I should like to make and that is to others to follow his example; (Hear, hear) because great as his generosity has been, there is no one in this House who supposes for a moment that the flow of benevolence may now cease and that there are no further demands either on behalf of this university or on behalf of the other two universities of which we boast to which such generosity might not very well be applied.

"If I remember rightly it was the hon. Member representing the Madras University who complimented me on the fact that I knew a good thing when I saw it. Yes; Rs. 20 to Rs. 30 lakhs is an exceedingly good thing, and I only hope that this is not the only occasion on which I shall be able to look upon donations for educational purposes of a similar kind. 13-45 p.m.

"Sir, one or two criticisms have been made as to the constitution of the university, and on those I do not propose to dwell at any length. But one observation made was that this university is not democratic. I believe the democratic charter of this university is to be found in clause 5 of the Bill where it is expressly laid down that no person shall be excluded from this

university on the ground of sex, race, creed, class or caste. That seems to me the democratic charter of this university. It does not consist in the manner in which the Senate, the Syndicate, and the Finance Committee are constituted. They are constituted for special purposes and I do not know of any university in the world in which due provision is not made, as has been made in this Bill, for the representation on such bodies of men possessed of those qualifications which are required to ensure the very existence of a university.

" On one point which was under discussion and controversy yesterday, namely, the addition to the Senate of this university of representatives of the Southern India Chamber of Commerce and of the Madras Chamber of Commerce, I may say that personally speaking, I was exceedingly glad to find that a resolution to that effect was passed by this House; and for the very good reason that, from my own experience, on bodies, such as the Finance Committee and the Public Accounts Committee, of the services that can be rendered in administrative and financial matters by members such as my hon. Friend Mr. C. Gopala Menon who represents the Southern India Chamber of Commerce, I am convinced that it will be an exceedingly good thing for this university if on the Senate which is the supreme governing body of the university and from which its Syndicate and Finance Committee will, in part, derive their representation, men of such qualifications find place.

" Then, Sir, one Member expressed the hope that this university would not turn out Pandits. Well, on the spur of the moment, I applauded that sentiment; but then it suddenly occurred to me that if my own educational history were examined, I could make claim, if to anything, only to being a Pandit of a very ordinary kind, because such education as I myself received was on those very lines which I think people in India are just now a little too ready to deprecate. I do not agree with those who think that the sole object of education is to turn out specialists, in whatever subject it may be. But I do think that there is something in the old system of general education which attempted to teach people to think and to give them some familiarity with general culture the importance of which is sometimes neglected nowadays, and I do not think it will be in any way to the detriment either of the Annamalai University or of the community which it is to serve, if it does turn out men who do not possess any special qualification, but have a sound general education and a mind open to the critical appreciation of all that interests or concerns humanity. But it is not merely the production of individual men and women of that kind which I look to the Chidambaram University to supply. I hope that in Chidambaram we shall find what perhaps has been somewhat lacking in our universities so far, and that is, a permanent home for what I might call the academical atmosphere, a centre where men will be found who can stand above the ordinary turmoil and controversies of the day and look with a calmer mind on what is going on around them, who will reside permanently there,—a centre to which men who do take a part in the dust and storm of conflict, be it political or otherwise, can turn from time to time in order to enter into a calmer atmosphere where reflection and meditation can take their due part. I think I am right in saying that more than once in my own country where controversies and differences have tended to obscure the interests of the people, it has been because we possessed men of the highest culture of that university

training to which the hon. Member for the University referred, who were able to intervene and bring to bear influences which could not be disregarded and in spite of all difficulties to clear the air of what was purely ephemeral that we have been able to overcome mere factions or of controversy, and once again to direct events into a channel which could prove beneficial to the general interests. It may be that in years to come occasions will arise in the history of this Presidency when men of that kind will be badly wanted and indeed when it will be essential that they should be forthcoming. I myself hope and hope sincerely that this new university from Chidambaram, will, when such occasions do arise, contribute its quota with men who will, no matter at what risk, come forward and say 'this must cease; this is to the detriment and bane of society; this is merely leading to a crash; we will have no part in it, we protest against it, and we warn you against it.' If this university can do that, may I say that it will be doing a greater service to this country than any specialising will confer upon it. And that I regard as, what in the future, may be one of the most valuable functions which this university will exercise.

"On behalf of those for whom I am speaking, I would express our most earnest desire that the new university may fulfil all the wishes of those who wish it well, and also express our very deep appreciation of the generosity of the founder who has made its coming into existence and the passing of this Bill possible."

* The RAJA OF PANAGAL :—"I am glad to say that in the epoch-making enterprise of the hon. Sir Annamalai Chettiyar, we have a magnificent instance of private benefaction. The magnificence of the quantity as well as of the quality of Sir Annamalai's charity is certainly unsurpassed. In India we are yet to have another to endow forty lakhs or thereabouts for a single object; we are yet to have another to choose a nobler object for his munificent endowment. We all know that Chettinad is a land of charity. Even there the charity of Sir Annamalai is unique. It is really princely and that it is so will, I dare say, be ungrudgingly recognized by all, by the Government and the people. The cheerfulness with which the passage of the Bill has been welcomed on all sides of the House is perhaps an earnest of that recognition.

"Sir, Sir Annamalai's charity deviates from the usual channel of the Chettinad charity which used to find its vent in the direction of the renovation of old temples sometimes carried out not without prejudice to the successful archæological operations in the Province. Sir Annamalai chalks out a new line. He has brought into existence a new temple, the temple of learning.

"Sir, the greatest asset of a nation is its culture and those who in some way or other contribute to the promotion of national culture are entitled to the highest esteem of the nation. Many of us know how to earn money. But, alas! only few of us understand how to spend our earnings. I need hardly say that Sir Annamalai is one of those few. Sir Annamalai has set a splendid example by giving an impetus to the promotion of culture in the country. If the wealthy among us follow Sir Annamalai's example, I have no doubt that India can lift her head aloft and keep pace with the most advanced countries in the march of progress.

'Sir, the Annamalai University is conceived on right lines. It is to serve as a teaching and a residential university. It is to serve as a means for

advancing alike oriental and occidental learning. We are urgently in need of a university of the kind. I hope and trust that in the service that is expected of the new university the high ideals of the generous Founder will be realized. May the university continue to be a boon to the people of Southern India by promoting their culture. May Sir Annamalai Chetti and his lineage be ever spared to serve the university, as Pro-Chancellors! Sir, I support the motion."

The hon. Dr. P. SUBBARAYAN :—" Mr. President, Sir, as I said when I introduced this Bill in this House, not only the Legislative Council but also the country owes a deep debt of gratitude to Sir Annamalai Chettiyar for the munificent gift without which it would have been impossible for the Government of their own accord to have this new university at Chidambaram. As I said then, Sir, and as has been said by both the learned Member for the University and my hon. Friend the Raja of Panagal, I hope his example will be a standing example to other rich men in this country to whom it is given to enjoy the blessings of wealth, to understand that such wealth is given not for one's own glorification, but to help other human beings situated not in the self-same happy position as those rich men. I am also obliged to my hon. Friend, the learned Member for the University, that he also, like my hon. Friend the Finance Member, recognized a good act when it comes even from the hands of the Satanic Government; because it is very rarely that people recognize acts done by their political opponents when they deserve recognition.

4 p.m. "I am glad, Sir, that my hon. Friend has also recognized the great part played by my Colleagues on this bench, because if I can let out a secret, I could tell them that without the help of my hon. Friends who are seated on this bench—I am sorry that my hon. Friend the Development Minister is not here—and of His Excellency the Governor, it would not have been possible for us to have so expeditiously finished the business of this new university. We must pay our tribute, as my hon. and learned Friend did, to my hon. Friend the Finance Member because, as he said, the Finance Member is the custodian of the purse of this province and I am glad to recognize that my hon. Friend does a good thing, because from my experience of the last two years, in spite of feeling sometimes the pinch of not getting money for schemes which I think are right and which would go to the benefit of the people, I must say that my hon. Friend when he finds that his Colleagues are in earnest and that the schemes they put forward are for the good of the province, he always comes to the help of his Colleagues in order that such good things may go forward and in that sense I am glad that one of the Deputy Leaders of the Opposition recognized the great part played by the Finance Member of this Government in the happy position in which we are to-day in seeing this university coming into its own. I join my hon. Friends of this House in wishing Godspeed to this new university and I wish, as my hon. Friend the Member for the University wishes, that this new university will be a real home of culture. As he himself has pointed out we have talked so much about unemployment and as he himself recognized I do feel that the modern universities which we have in this country are really not centres of culture and education although during the last few years most of the universities in India are trying to keep up to the level of the two great universities whose names the hon. Member mentioned with such praise. It is that kind of life which will go to cultivate comradeship,

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go to cultivate feelings of oneness, which we hope for in this university and I wish that will be the ideal which will be followed by the university when it begins to function. As my hon. Friend, the Finance Member, said the Government, after having made this university a university will really not influence it in a manner that would suit their interests, because that seemed to be the song of my hon. Friend Mr. Harisarvottama Rao that we have brought forward this university because it is going to help the Government in the ideal they are going to follow. That is the last thing which I have in mind and which I think the Founder of the University had in mind. I do not think he wanted to give this magnificent donation in order to help any Government and I am sure the ideal that he had in mind was the production of the right type of men who will be the future statesmen, pioneers of industry and other professions that will redound to the greatness and to the credit of not only this province, but to the whole of India. With these few words, Mr. President, I, on behalf of the Government, wish this new university Godspeed."

The hon. the PRESIDENT :—" I take it that the House is ready for a vote."

The motion was then put to the House and carried unanimously and the Bill was passed into law.

The announcement was received with loud cheering and clapping of hands.

V

A BILL TO AMEND THE MADRAS UNIVERSITY ACT, 1923.

The discussion on the Madras University Bill was then resumed.

CLAUSE 15—*cont.*

Class III—Other Members.

Mr. BASHEER AHMAD SAYEED :—" I move that for the word '*thirty*' the word '*thirty-five*' be substituted."

Sriman BISWANATH DAS Mahasayo :—" I second it, Sir."

The hon. the PRESIDENT :—" The question is that for the word 'thirty' the word 'thirty-five' be substituted."

The hon. Dr. P. SUBBARAYAN :—" I do not think, Sir, that it is necessary to increase the number of members to be returned by the graduate electorate, because the proportion that is maintained in the whole clause is so evenly placed that it will really increase one kind of representation and so I oppose the increase from thirty to thirty-five."

Sriman BISWANATH DAS Mahasayo :—" I propose for an adjournment of the consideration of the Bill to the next meeting of the Council."

* The hon. the PRESIDENT :—" For the present, the hon. Member is not in order, because he is not ready with his own motion."

Mr. K. UPPI SAHIB :—" Mr. President, Sir, I beg to support the amendment of Mr. Basheer Ahmad, because the hon. the Chief Minister told us that it would increase the representation of one particular constituency. Now representation is given to the South Indian Muhammadan Educational Association to elect two members to the Senate. It is a separate electorate of one separate communal body. What we now say is that for the time being we may not be represented on the Senate by graduates and so we only

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ask for separate representation by a mixed electorate. The South Indian Muhammadan Educational Association is not a representative body and the chances for a mufassal member are very difficult to get into the Senate from the South Indian Muhammadan Educational Association. Any man who pays 4 annas can become a member of that body and any moneyed man can get into the South Indian Muhammadan Educational Association of 400 or 500 members by paying a hundred rupees and then get elcted to the Senate. Moreover the association is an official-ridden body. Its function is only to dole out scholarships and to give tea parties to hon. Members of Government who have the fortune to be on the Treasury Benches or who hold high offices under Government. That is the reason why we ask that Muhammadans should be represented and be elected by proper persons. So I heartily support this motion."

The hon. the PRESIDENT :—"I think the House is ready for a vote."

The amendment was then put to the House and declared lost.

A poll was demanded and the House divided thus :--

Ayes :

1. Mr. Sami Venkatachalam Chetti.
2. ,, S. Satyamurti.
3. ,, P. Anjaneyulu.
4. ,, J. A. Saldanha.
5. Abdul Hamid Khan Sahib Bahadur.
6. Mr. C. S. Govindaraja Mudaliyar.
7. ,, G. Harisarvottama Rao.
8. ,, C. N. Muthuranga Mudaliyar.
9. ,, D. Narayana Raju.
10. ,, K. Uppi Sahib.
11. ,, K. R. Karant.
12. ,, C. Obi Reddi.
13. ,, Basheer Ahmad Sayeed Sahib.
14. ,, P. Bhaktavatsulu Nayudu.
15. Sriman Biswanath Das Mahasayo.
16. Mr. R. Srinivasa Ayyangar.
17. ,, K. Koti Reddi.
18. ,, C. Marudavanam Pillai.
19. ,, C. Venkatarangam Nayudu.
20. ,, S. Sivasubrahmanya Ayyar.
21. ,, A. Ranganatham Mudaliyar.
22. ,, Ramanatha Goenka.
23. ,, R. Nagan Gowda.
24. The Zamindar of Gollapalli.
25. Mr. T. C. Srinivasa Ayyangar.
26. ,, K. R. Venkatarama Ayyar.
27. ,, C. Gopala Menon.

Noes :

1. The hon. Sir Norman Marjoribanks.
2. ,, Sir Muhammad Usman Sahib Bahadur.
3. ,, Mr. T. E. Moir.
4. ,, Diwan Bahadur M. Krishnan Nair.
5. ,, Mr. S. Muthiah Mudaliyar.
6. ,, Dr. P. Subbarayan.
7. Diwan Bahadur P. Kesava Pillai.
8. Rao Bahadur C. V. Anantakrishna Ayyar.
9. Mr. C. B. Cotterell.
10. ,, H. A. Watson.
11. ,, C. A. Souter.
12. ,, S. H. Slater.
13. ,, A. McG. C. Tampoe.
14. ,, C. W. E. Cotton.
15. ,, V. Ch. John.
16. ,, M. A. Manikkavelu Nayakar.
17. Syed Tajudin Sahib Bahadur.
18. Mr. A. B. Shetty.
19. ,, J. Bheemayya.
20. ,, R. Foulkes.
21. ,, P. J. Gnanavaram Pillai.
22. ,, Muppil Nayar.
23. ,, K. Krishnan.
24. ,, N. Siva Raj.
25. Mr. M. V. Gangadhara Siva.
26. Rao Sahib L. C. Guruswami.
27. Mr. V. I. Muniswami Pillai.
28. ,, W. P. A. Soundarapandia Nadar.
29. ,, Daniel Thomas.
30. ,, Vanavudaya Goundar, S. V.
31. Zamindar of Singampatti.
32. Mr. F. E. Corley.
33. ,, W. E. Smith.
34. Rajkumar S. N. Dorai Raja.
35. The Zamindar of Kallikota.
36. Mr. G. R. Premayya.
37. The Raja of Panagal.
38. Rao Bahadur Sir A. P. Patro.
39. Khan Bahadur S. K. Abdul Razaack Sahib Bahadur.
40. Rao Bahadur K. Sitarama Reddi.
41. ,, B. Muniswami Nayudu.
42. Diwan Bahadur A. M. M. Murugappa Chettiyar.
43. Mr. A. V. Bhanoji Rao.
44. ,, Chavadi K. Subrahmanya Pillai.
45. ,, B. Ramachandra Reddi.
46. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.

Ayes 27. Noes 46.

The amendment was lost.

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Sriman BISWANATH DAS Mahasayo :—"Sir, I beg to propose that the consideration of the Madras University Bill be adjourned to the next sitting of the Legislative Council. Sir, we have a thin House and we came prepared to consider only the Annamalai University Bill, and it was practically understood that the consideration of this Bill would be postponed either to Monday next or to the next sitting of the Council. We were not at all, at least I am not, prepared to give our consideration and thought to the various amendments of the Bill relating to the Madras University Act. In these circumstances I take it that the Council will agree to the adjournment of the consideration of this Bill." 4-15 m.p.

Mr. K. UPPI SAHIB :—"I second it."

The hon. Dr. P. SUBBARAYAN :—"I have no objection to the adjournment of this Bill to the next sitting. As my hon. Friend Mr. Biswanath Das has stated, hon. Members have been considering another piece of legislation and evidently they want some little time to consider the effect of the amendments put forward to this Bill. So, I agree to the adjournment."

The motion was put and carried.

VI

A BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

The hon. the PRESIDENT :—"The House will now resume consideration of Mr. Venkatarama Ayyar's Bill. Last time the motion of Mr. Satyamurti that the Bill be circulated for public opinion was under consideration. The House will now resume consideration of that motion."

* Mr. A. B. SHETTY :—"Mr. President, Sir, it was rather surprising that such doughty champions of reform as the two deputy leaders of the Congress party should have thought it fit to oppose a measure of this sort."

Mr. S. SATYAMURTI :—"On a point of personal explanation, Sir, I did not oppose the measure. I moved for circulation of the Bill. It is a misrepresentation to say that I opposed."

Mr. A. B. SHETTY :—"It is true Mr. Satyamurti moved that the Bill be circulated for eliciting public opinion but almost the whole of his speech was nothing but an entire condemnation of this Bill and it showed that he was not for any legislation of this sort. What were his arguments, Sir? He said that Madras was the purest of the cities he had seen in India as well as in the West. For such evil as exists here there is ample provision in the Madras City Police Act. This Bill gives too much power to the police and they are likely to abuse it. It is strange that a gentleman of Madura should think of applying this measure to the City of Madras. Let him (first) set his own place in order and leave Madras to be taken care of by its own people. Any way this Bill is too dangerous a piece of legislation to be rushed through in this way. This was the substance of Mr. Satyamurti's speech the other day.

"Now I ask, Sir, whether this Bill has been sprung upon this House as a surprise. It was, as it was said the other day, drafted two or three years ago. It was put on the agenda several times but for some reason or other it was held up. And who is the author of this legislation? Not my hon. Friend of Madura but the Vigilance Association of Madras itself. This association has among its members some of the leading men of this city.

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It has for its President the hon. Sir Usman Sahib, and its vice-presidents are no less distinguished men than the hon. Mr. Justice Venkatasubba Rao, Mr. T. R. Venkatarama Sastri and Diwan Bahadur Tanikachalam Chettiyar. The Chairman of the association is an equally exalted personage—the Rt. Rev. the Lord Bishop of Madras. The persons who have drafted this Bill and are now backing it up are, therefore, eminent and responsible citizens of this city. The Bill seems to have been well received by the public. The Mover of the Bill referred the other day to a public meeting held in support of this Bill last month at which Sir Alexander Macdougall presided. I know of another influential meeting held long before that in 1926 or so and it was presided over by the Rt. hon. Srinivasa Sastri. At that meeting Dr. Lakshmanaswami Mudaliyar, who knows well the conditions in the City of Madras, moved the following resolution :—

'Whereas traffic in women and girls is rapidly increasing in the Presidency and the City of Madras and whereas brothels are becoming a menace to public health, this meeting urges the Government to introduce legislation for the suppression of brothels and traffic in women or girls.'

The meeting gave its hearty support to this resolution.

"It is well known that cities in the West have for a long time now been trying to establish some form of control over this evil. First, they attempted to regulate this vice by registering prostitutes, segregating them in special areas and licensing brothels. As a result of experience they have given up State recognition and regulation of immoral traffic in many of the western countries. To-day it is no longer a question of regulating the brothel system, but it is total suppression that is attempted. Just as in the matter of the drink evil, we no longer aim merely at temperance but ask for total prohibition . . ."

Mr. S. Satyamurti :—"Are you for prohibition ?"

Mr. A B. Shetty :—"So also this Bill seeks not to regulate but to suppress brothels and immoral traffic. The measures proposed in it are in entire accord with the steps taken in other countries. In our own country, Bombay, Calcutta and Rangoon have already passed similar legislation. Why should Madras wait? Is Madras, after all, so pure a city as Mr. Satyamurti wants us to believe? The members of the Indian Delegation of the British Social Hygiene Council who visited Madras in December 1926 found the incidence of venereal disease very high in the City of Madras and they were told by many medical men that in other areas of this province venereal disease was equally prevalent in all classes of the population. The spread of venereal disease is mainly due to prostitution."

The hon. the President :—"I am afraid the hon. Member is not in order. The question now for consideration is whether the Bill should be circulated for public opinion."

Mr. A. B. Shetty :—"This Bill, as I said, has already been the subject of discussion and consideration at several public meetings in Madras and they have all given their cordial support to it. The Indian Delegation of the British Social Hygiene Council have also discussed this Bill with the Vigilance Association and given it their approval. Mr. Satyamurti's opposition to this Bill and his proposal to circulate it for eliciting public opinion has been the subject of adverse comment in three of the Madras daily papers—*Swarajya*, *Justice* and *Daily Express*. This Bill has not come a day too

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soon, and I see no reason why we should defer the consideration of it by a Select Committee. Any clauses in the Bill which require modification will receive due attention from the Select Committee which consists of as many as 24 members of this House, and these may be relied upon to safeguard the interests of the people concerned so that there may be no room for any fear of the sort entertained by the hon. Member for the University. I have, therefore, very great pleasure in supporting the motion of my hon. Friend, Mr. Venkatarama Ayyar."

* Mr. A. Ranganatha Mudaliyar :—" Mr. President, Sir, I cannot help feeling that there has been a certain amount of unnecessary misapprehension of the attitude of the different Members of this Council regarding this Bill. My Friend, the learned Member for the University, in the course of his speech has referred to several points which, from his point of view, require serious consideration. And I think I may at once confess my sympathy with some of the points raised by him. After all, when a Bill is referred to a Select Committee, you may take it for granted that the members of the Select Committee would certainly consider all aspects of the Bill and the very many points which might have been raised in regard to the provisions of that Bill both here and possibly outside the House. And I have not the slightest doubt in my mind that the Select Committee would bear in mind the different aspects which my hon. Friend, Mr. Satyamurti, has elaborated on the floor of this House, and he may rest assured that his object, namely, that the Bill should be considered from various aspects to which he has drawn attention, has been achieved. And I go further and say that there is nothing to prevent hereafter some Member of this House or one outside from bringing to the notice of the Select Committee more points for consideration. Therefore I would appeal to the Member for the University that, in view of the fact that the Select Committee are bound to consider the criticisms he has offered on the Bill, he would see his way to withdraw his motion for circulation of the Bill and allow the Bill to go to the Select Committee now."

* Mr. S. Satyamurti :—" In view of what my hon. Friend has said and with a view to show to all, except those who are prejudiced against me personally, that my object is to improve the Bill and not to kill it, I crave leave of yourself, Sir, and of the House to withdraw my motion for circulating the Bill for public opinion."

The motion for circulation was by leave of the House withdrawn.

Mr. Abdul Hamid Khan :—" Sir, I move that the following names be added to the list of Members of the Select Committee :—

Messrs. Sami Venkatachalam Chetti, S. Satyamurti and C. V. Venkataramana Ayyangar."

Mr. C. S. Govindaraja Mudaliyar :—" I second it."

The motion was put and carried.

The hon. Dr. P. Subbarayan :—" Sir, I would just like to make one suggestion, if I may. This being a matter of brothels, I think my hon. Friend the Minister for Public Health should be on the Select committee."

Diwan Bahadur P. Kesava Pillai :—" Sir, may I know the number of the members of the Committee ? "

The hon. the PRESIDENT :—" There were originally 24, to which 3 have been added just now. The Chief Minister wants to add another name. So it comes to 28.

" Has any hon. Member any objection to permit the Chief Minister to make the motion ? "

Mr. BASHEER AHMED SAYEED :—" I object "

The hon. the PRESIDENT :—" The objection does not prevail."

The hon Dr. P. SUBBARAYAN :—" I move that Mr. S. Muthiah Mudaliyar's name be added to the list of members of the Select Committee."

Diwan Bahadur P. KESAVA PILLAI :—" I second it."

The motion was put and carried.

* Mr. S. SATYAMURTI :—" May I ask leave to add two more names to the list, i.e., Diwan Bahadur P. Kesava Pillai and my hon. Friend Mr. Ranganatha Mudaliyar ? "

The hon. the PRESIDENT :—" I wish to know whether any hon. Member has got any objection to permit Mr. Satyamurti to add two more names to the list ? "

No hon. Member objected.

4-30 p.m. Mr. S. SATYAMURTI :—" I beg to move that the names of Diwan Bahadur P. Kesava Pillai and Mr. A. Ranganatha Mudaliyar be added to the Select Committee."

The hon. Dr. P. SUBBARAYAN :—" I second it."

The motion was put and carried.

The amended motion was then taken up for the consideration of the House.

* The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :—" I should just like to state briefly the attitude of the Government with regard to this Bill. I may say that I have considerable sympathy with the objects of the Bill. No doubt the evil exists and it should be remedied. There is no question about it. But the point is whether this Bill is free from practical difficulties. Some of the difficulties pointed out by the hon. Member for the University seem to me to be real. Under the circumstances the Government neither support nor oppose the Bill at this stage."

Dr. B. S. MALLAYYA :—" I am really surprised at the statement made by the hon. the Home Member. Whatever the difficulties, Sir, it is the duty of the Government to see that these dangerous women are segregated. The hon. Member must be familiar with the misery, illness and the destitution caused to several innocent lives in the City of Madras particularly Muhammadans and also the labouring classes surrounding the toddy shops and arrack shops in the City of Madras. Sir, he must have been particularly familiar with these because it was very near his old quarters in town—the Odaikara street, a locality for which he was a representative on the Corporation for a long time. That locality has earned a very bad name particularly as it is frequented by lascars, serangs and other deck boys coming from steamers who having a drink surround these abominable class of women. How these people are lured by touts if not actual agents to these howls of ill fame and actually robbed of their morals and money and have their lives

infected with the worst types of venereal diseases are well known when they come to the hospital for treatment. Sir, many of these women have got very bad notions that they can get rid of their diseases by having intercourse with young children. If the hon. Member is not satisfied with that I will give photographs of young boys thus ruined. It is high time that Government at least make it a rule that no prostitute is to live within 200 or 300 yards of an arrack or toddy shop, if they cannot do anything else. There are difficulties I do admit. Then the students and other unmarried people in the City of Madras not provided for by the Government to live in hostels and who are living away from their parents are exposed to these dangers and it is the duty of the Government to see that they are safeguarded. Then, Sir, there is the annual function the Park fair, which attracts hundreds of men from outside. On such occasions—my hon. Friend should have observed it in his experience—these infected women go about infecting unsuspecting young gentlemen and bachelors of the City. We have a large number of students in the City of Madras and in their interest at least we must have a rule. When this system is working all right in Calcutta, Bombay and Rangoon, I do not see any reason why we should not do it. Even if there is a certain amount of public inconvenience and police interference the people are prepared to suffer if it would mitigate the evils arising from immoral houses. I request the Government to see that something definite is done in this matter and that too, very soon."

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—" I said the Government are unable to support or oppose this motion at this stage with the Bill as it stands. When it is referred to the Select Committee and the Bill is properly shaped, Sir, Government may accept it. To the Bill as it stands to-day the Government are unable to give its support."

Dr. B. S. Mallayya :—" I misunderstood the Member and I am sorry for it."

The motion was put and carried.

The Council then adjourned to meet again at 11 a.m. on the 26th November 1928.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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Appendix I.

[Vide answer to question No. 539 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 461 supra.]

Copy of letter from the Chief Engineer for Irrigation, dated 6th September 1928, No. 1778-C/28-C-1.

[Duvvaleru Project—Kurnool district.]

The Duvvaleru was gauged for six years (1920—26) and an examination of the gauge readings shows that a minimum supply of 500 m.c.ft. can be safely depended on in five out of six years and that the project might be taken up for detailed investigation. But as the Gundlakamma Project was ordered to be reinvestigated, Mr. Stoney thought it desirable to await the result of this reinvestigation before the project now in question was taken up as the Duvvaleru supplies have also been counted on in the Gundlakamma Project. The Superintending Engineer, Madras Circle, was informed accordingly.

As there is still some doubt about the gauge discharge results as worked out in this office, they are being re-examined. As soon as the examination is over, the verified figures will be forwarded to the Superintending Engineer, Madras Circle, and he will be called upon to submit a preliminary report.

Appendix II.

[Vide answer to question No. 540 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 461 supra.]

Letter from L. H. Greg, Esq., Officiating Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated the 3rd October 1928, No. 1777/28-C.E.P.

[Legislative Council Question No. 108—Damerla and Gocheruvu tanks—Repairs to supply channel.]

I forward herewith a copy of letter No. 810-S.E./111, dated 16th September 1928, from the Executive Engineer, Kurnool division, which gives the information asked for.

2. The Superintending Engineer reports that he has directed the Executive Engineer to take immediate steps to have the breach closed.

Enclosure

Letter from M.R.Ry. V. Ayyadurai Ayyar Avargal, b.a., b.e., Executive Engineer, Kurnool division, to the Chief Engineer for Irrigation, dated the 16th September 1928, No. 810-S.E./111.

The supply vagu to the Damerla tank breached in August 1927, though a hole at the site is said to have been observed earlier.

Gocheruvu tank is not in danger of being flooded by rush of water beyond its capacity as even with the extra supply from breach, Gocheruvu has not even surplused.

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The repair estimate for closing the breach of supply channel and improvements to outlet were sanctioned in June and July 1928 and the works will be executed after the rainy season is over. The ryots could easily have closed the hole and the breach which, at first, was small.

2. Damerla tank referred to is Dammara cheruvu, No. 11 in Raocheruvu group of Upper Sagileru minor basin.

APPENDIX III.

[Vide answer to question No. 543 asked by Mr. A. Kaleswara Rao at the meeting of the Legislative Council held on the 12th October 1928, page 463 supra.]

Letter from the Chief Engineer for Irrigation, to the Secretary to Government, Public Works and Labour Department, dated the 5th October 1928, No. 985/27-C-4.

[Expansion of irrigation under the Muniyeru Project.]

The question of the availability of supply to the proposed reservoir is being examined. In this connexion a statement of discharges showing the supply available at the head of the Muniyeru main channel from 1923—27 was prepared in this office and sent to the Superintending Engineer, on 18th September 1928 for verification and report.

2. From my inspection of the site when I was Superintending Engineer, Bezwada Circle, I found that the soil available for the construction of the bund was black cotton mostly in layers of 1 foot to 3 feet thick over white morum. Black cotton is not suitable for the hearting of a bund 35 to 40 feet high in places. I do not think there is any likelihood of the proposed reservoir being built owing to the absence of good soil in the neighbourhood.

APPENDIX IV.

[Vide answer to question No. 589 asked by Mr. A. B. Shetty at the meeting of the Legislative Council held on the 12th October 1928, page 498 supra.]

Proceedings of the Chief Conservator of Forests, Madras, No. 349 Rt., dated the 21st September 1928.

The following information is furnished :—

Clause (a) of the question.—Yes, a new condition was inserted in the Forest Village System Panchayat agreements executed in 1927–28 requiring the Panchayats to clear and fire-trace the exterior lines of reserves concerned at their own cost.

Clause (b) of the question.—As a result of the introduction of this condition five of the old panchayats declined to renew their agreements. But three of them accepted the condition and renewed their agreements.

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Clause (*c*) *of the question*.—Yes. The Forest department had been fire-tracing the reserve lines at its own cost prior to the introduction of the Forest Village System.

Clause (*d*) *of the question*.—Subject to satisfactory protection from fire and offences the panchayats are granted a refund of grazing fees collected from them up to a maximum of 75 per cent. The refund is the source of income.

Appendix V.

[Vide answer to question No. 598 asked by Mr. G. Harisarvottama Rao at the meeting of the Legislative Council held on the 12th October 1928, page 503 supra.]

Copy of letter from the President, District Board, Kurnool, dated 6th September 1928, *R.C. No.* 492/21.

I have the honour to state that the District Health Officer, Kurnool, submitted on 14th July 1928 the sketch showing the alignment of the proposed pipe line from Bhargavakoneru to the Ahobilam temple premises. A width of 66 feet throughout the length of the proposed line with the exceptions of some portions in patta lands is required for the laying in of the pipes and as this area lies entirely in the Forest, the Collector has been requested in this office, R.C. No. 492/21, dated 29th August 1928, to grant a permanent licence in the name of the temple diety. As for the portions required in the patta lands S. Nos. 280 and 282, the District Board Engineer has been asked to report on 'th July 1928 whether the acquisition of the portions in these patta lands cannot be had by private negotiations. The District Board Engineer has not submitted his report yet. I am reminding him again. The estimates are ready. Sanction for the estimates will be obtained after the question of acquisition of the patta lands is settled. The work will be put in on hand as soon as the patta lands are acquired and the licence referred to above is granted by the Collector.

Appendix VI.

[Vide answer to question No. 601 asked by Mr. C. N. Muthuranga Mudaliyar at the meeting of the Legislative Council held on the 12th October 1928, page 504 supra.]

G.O. Mis. No. 1027, Revenue, dated 10th May 1928.

Read—the following paper :—

From the Board of Revenue, Land Revenue and Settlement, No. B-2688/27-3, dated 5th December 1927.

Order—Mis. No. 1027, *Revenue, dated the* 10*th May* 1928.

In its reference read above, the Board of Revenue has recommended that 350 acres of land in and near Lammasingi village, Gudem Agency, Vizagapatam district, which have been applied for by the hon. Rao Bahadur C. V. S. Narasimha Raju Avargal and Diwan Bahadur M. Ramachandra Rao Avargal for the cultivation of plantation products and fruit trees should be leased to them for a period of 30 years. The Board has stated that as the

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proposal constitutes a new venture it should be started under a lease. The Government do not understand why there should be any departure from the ordinary procedure of assignment simply for the reason that the proposed grant is the first of its kind in the Agency tracts. They consider that the appropriate form of grant in such cases is a conditional order of assignment. They accordingly sanction the assignment of the lands, which have been applied for, jointly in the names of the two applicants subject to the ordinary conditions of a ryotwari grant and the special conditions mentioned below.

2. The assignment will be subject to the following special conditions :—

(1) The land shall be used for the cultivation of coffee, cardamoms, pepper, rubber and fruit trees only and for the erection of the buildings necessary for effecting and supervising such cultivation and making the produce fit for the market.

(2) The assignees shall have the boundaries of the land cleared and demarcated at their cost with cairns before they are put in possession of the land.

(3) The assignees shall be permitted to use the water from the streams running in the land for the irrigation of the land and the generation of any power required in connexion with the cultivation of the land or the preparation of its produce for market; but they should get the specific approval of the Agent to the Governor, Vizagapatam, to the site and the design of any dam which they may put up.

(4) The assignees shall pay from the sixth year from the date of assignment on 125 acres of the land assigned (irrespective of the actual area brought under cultivation) assignment at Rs. 2 per acre and from the tenth year from the date of assignment on the remaining 225 acres assessment at the same rate. The rates of assessment so charged will be liable to revision at re-settlement.

(5) No charge shall be levied on account of the trees existing on the land. The assignees shall be at liberty to cut and remove the trees from the assigned land. If the forest growth in any area is cleared, it should be re-planted with the plantation products or the trees specified in clause (1) within a period of two years.

(6) The existing roads, streams and pathways and a margin one chain wide on each bank of the more important streams shall be excluded from the grant. (The roads, pathways, streams and margins to be specified.)

* (7) In the event of the violation of any of the conditions of the grant, the Collector shall give notice in writing to the assignees specifying the exact nature of the violation and intimating that the land will be resumed if the violation continues after a period specified in the notice. If, at the expiry of this period, the violation still continues, the Government shall be at liberty to resume and re-enter on any portion of the land in the name of the whole, and the whole land shall thereupon vest absolutely in the Government. In this case, the grantee shall not be entitled to any compensation whatsoever.

(By order of the Governor in Council)

J. F. Hall,
Secretary to Government.

To the Board of Revenue, Land Revenue and Settlement.

* As amended. The original clause did not provide for notice being given before resumption for failure to comply with conditions.

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APPENDIX VII

[Vide item III—" Communication to the Council " at page 512 supra.]

[Vide answer to question No. 1185 given at the meeting of the Legislative Council held on the 5th November 1927.]

Statement showing the area of certain villages, the extent under cultivation, and the extent available for grazing purposes.

Name of village.	Total area.	Total extent under cultivation.		Extent of waste land expressly reserved for grazing by local orders.	Extent of waste available for grazing at the present time in addition to the area shown in column (5).
		At the time of the introduction of the settlement.	At the present time		
(1)	(2)	(3)	(4)	(5)	(6)
	ACS.	ACS.	ACS.	ACS.	ACS.
Coondapoor taluk—					
Baindur	10,744·05	1,121·91	1,088·84	86·73	3,652·48
Kirimanjeswar	1,891·57	812·19	809·36	34·71	115·02
Gangolli	1,005·49	425·96	424·46	Nil.	51·89
Coondapoor	2,171·31	977·92	1,002·17	23·00	132·61
Udipi taluk—					
Kotathattu	1,123·88	604·05	663 69	26·03	132·26
Balakudru	886·55	397·17	438·54	Nil.	436·28
Varamballi	1,253·81	698·21	704·08	116·07	163·40
Udipi town	12,707·30	5,166·02	7,199·20	136·26	2,630·76
Udayavar	2,377·00	1,227·46	1,363 78	9·13	803·83
Pangal	906·36	503·22	547·19	13·44	103·69
Padubidri (Nadsal village)	2,305·07	1,198 00	1,227·00	119·67	238·84
Mangalore taluk—					
Moolky	940·49	892·07	662·17	4·63	195·61
Surathkal	2,610·16	1,036·75	1,144·75	Nil.	126·40
Panambur	1,701·70	914 20	1,015·10	Nil.	122·35
Mangalore municipality	3,370·20	1,951·01	2,052·34	Nil.	162·30619 square feet.
Kasaragod taluk—					
Koipady	3,247·52	1,038·37	1,590 87	99·40	1,397·74
Ichlampadi	1,414·71	391·56	626 60	Nil.	772·45
Ujarulvar	420·76	158·59	216·06	25·72	121·19
Ednad	1,688 74	340·00	368·88	Nil.	943·38
Hosdrug	1,853·32	1,490·29	1,503·96	Nil.	114·16
Nileswar	6,501 65	3,505·92	4,328·27	44·11	1,405·37
Chervathur	4,488·63	2,918·64	3,022·12	Nil.	578·03
Tricarpur North ..	2,216·02	1,797·23	1,807·62	39·42	13·93
Tricarpur South ..	3,607·21	2,554·44	2,692·57	2·96	40·42

Remarks on the statement.

It will be seen from the statement above that small areas have been specifically reserved as grazing grounds though there are actually vast areas of waste and other land available for grazing.

At the settlement of the district no enquiries were made as to the extent of lands required or used for grazing in a village and no particulars of these lands were entered in the Settlement register.

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Subsequently however in the course of Revenue administration some lands by reason of their being so used have been specifically reserved here and there as grazing ground and registered as poramboke though having regard to the vast areas of land available such reservation is meaningless.

Thus patches of scattered lands appear in the accounts as reserved for grazing. These lands do not however constitute the only or the greater part of the lands actually available for and used for the purpose but only a fraction thereof.

D. N. STRATHIE,
Acting Secretary to Government.


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